4 0 7

# CLANDESTINE AMERICA

CD TH

THE WASHINGTON NEWSLETTER OF THE

ASSASSINATION INFORMATION BUREAU

Nov-Dec 1978/Jan-Feb 1979

@AIB, Inc.

Vol.2 No.5

"This is the Age of Investigation, and every citizen must investigate." - Ed Sanders

## REFLECTIONS ON THE ASSASSINATION HEARINGS

There has been an immense surge of activity around the assassination question during the past several months, mostly owing to the HSCA public hearings which opened on August 14 and closed on December 12. This high level of activity is reflected in this current issue of Clandestine America, our first double issue. We have been running at six or eight pages. Last issue we strained and went to ten. This month we have gone to 14 pages because of the length and importance of the material we have to present. And the printing and manpower burden this puts on us forces us to call it a double issue and promise to see you next April, when we will publish a detailed account of the HSCA's "Findings and Recommendations" report to be released on January 2. Chairman Louis Stokes informs also that "arrangements are being made to publish in early 1979 the committee's investigative summaries, the public hearing transcripts and reports hy scientific projects and consultants..."

by scientific projects and consultants..."

"History itself marched before us," said Stokes in his concluding statement on December 12. He reviewed the stormy days of the 1960s and how they had passed before us in review in the amazing parade of witnesses before the committee—"a former U.S. president, a foreign head of state, a former governor of Texas, federal officials including two former attorney generals, Dallas and Memphis police officers, an underworld boss, a professional boss, a professional gambler, young men from the ghetto, a woman with a laundry ticket, a man with an umbrella, and murderers, one convicted, others only suspected."

The interviews Jeff Goldberg conducted for this issue with some of the more active critics turned out to be an important document, we thought. Better than our words alone could tell, these interviews reveal the range and complexity of the material dealt with by this committee and the difficulty one must have in forming final judgments as to its real meaning.

The behavior of the media deserves special comment. It may be true, as a recent Harris poll showed, that 80% of us now disbelieve the Warren no-conspiracy finding, but among Washington media people, that proportion is pretty well reversed. Who knows why, but media people insulate themselves from this material and refuse to reflect on its implications. Of course, some of them are also human, and extended encounter with the evidence will have an educative effect. They will start to come around—then run into the wall. One sad anecdote from the hearings will illustrate.

A reporter for one of the big outlets chanced one day to be the only one of the major media people at the hearings to get the real point of what had happened that day. Chairman Stokes had presented a major blast at the FBI and raised the question of FBI co-responsibility in King's death. It was a dramatic moment. Stokes is a fine speaker, he cared a lot about what he was saying, and his statement was well conceived and written. The reporter who picked up on it had caught a strong story, clearly the lead of the day. And all the other majors missed it.

The reporter came in the hearing room smoldering the next day, slouched to his place muttering darkly about getting chewed out by his boss. Chewed out? For what? For that story about Stokes' speech on the FBI, he said. But that was a great story, nobody else got it. That's the point, he said. Why? Because my bosses say that if the rest of the press didn't get it, too, it must not have happened, and it looks bad when one of us says something so different from the rest.

What an educational exchange! One had heard things about "scoops" and journalistic courage, and now it turned out that the real key to success in the big time was something else. You had to know how to run with the pack, because what the "news" actually was, boiled down, was the collective opinion of this same pack. If the pack thinks JFK was killed by a lone nut, then anybody who thinks something else must be another one.

How often on the lecture circuit in the old days the Warren critic would hear someone say that if any of these doubts were actually valid, and if there was anything at all to the monstrous idea that the president was killed by a conspiracy, then surely by now our bright, ambitious people of the media would already have found out all about it and won Pulitzers, like Woodward and Bernstein. Since there are no Woodward and Bernstein of the JFK assassination issue—and no Pulitzers—there must actually be no

All ye who have ever thought that particular thought, take heed and ponder this tale of the bright, ambitious reporter who got rebuked for his scoop, while the ones with the blandest and emptiest impressions of what happened that day in the hearing room cruised on through their career-week without a ripple. Pack journalism is, to our mind, a very special problem in the conspiracy cases because pack journalists are so timid and vicious. As the interviews below make clear, there are many faults to find with the HSCA's hearings. But their performance was a hundred times in front of the mainstream media in terms of curiosity, investigative vigor, and courage to face tough possibilities.

If the press had reported each day on the actual contributions the committee was making instead of constantly blunting everything that said conspiracy and overplaying everything that said relax, then the 80% of us who today sense conspiracy in the JFK death would be not only more numerous, but also more aroused and more insistent that the whole truth be found. The committee told us that Oswald was hanging out around Carlos Marcello at the very time Marcello was threatening JFK's life, and the press hardly blinked. The Committee told us it did not think Ruby got in to shoot Oswald the way Warren said but may have had help from the police in getting lin, and the press sat on its pencils as though the story meant nothing. The Committee ran out a never-before-heard acoustic tape in evidence, an actual recording

Continued on page 2



#### - 2. Clandestine America-

of the gunfire, and all the press said was that there was a 50-50 chance it didn't mean a thing.

A peroration on this theme: One has no doubt that a free press can help us all be free. But when it does not choose to use its freedom, how can its freedom make a difference? And if it doesn't make a difference, how can it be real?

#### A RESPONSE TO THE JFK HEARINGS-7 Questions for 7 Critics

People are asking what the HSCA accomplished during its JFK investigation. We thought it would be helpful for our readers to see what a representative sampling of the citizen experts think So we decided on an AIB questionnaire, which was conducted by phone during the period of November 6-14, 1978.

Seven of the most active critics were chosen, All have been closely following the work of the HSCA, some in person, others by radio and TV. We had hoped to include other respected voices on this issue, but space and time limitations were prohibitive.

The main purpose of the project was to show the strengths and weaknesses of the critical appraisal of the HSCA's work, as well as to find if there had developed any general consensus around cartain points. This is not to be construed as anyone's final say or the HSCA, because in each case the respondents want to carefully study the final report-still months away.

Each person was asked the same basic seven questions, which appear in the body of the text in numbered notation. Questions were directed at the JFK subcommittee only. The questionnaire was devised and the interviews were conducted by Jeff Goldberg of the AIB's Washington staff. The answers are those of the respondents only, and do not necessarily reflect the views of the

In order of appearance, here is a brief rundown of those interviewed:

1. Jerry Policoff (New York City) has published in New Times, The Realist, Rolling Stone, New York Times, and The Washington Stor

2. David Lifton (NYC) has published in New Times and Ramparts

3. Sylvia Meagher (NYC), author of Accessories After the Fact. 4. Harold Weisberg (Frederick, Meryland), author of the Whitewash series, Post Mortem, and Osweld in New Orleans.

5. Paul Hoch (Berkeley, California), co-editor of The Assessioations: Dalles and Seyond, has published in Inquiry and The Saturday Evening Post. 6. Bernard Fensterwald, Jr., Washington Director of the Com-

mittee To Investigate Assassinations, and author of Coincidence Or Conspiracy? 7. Carl Oglesby, Washington Co-Director of the A1B, and author of The Yankee and Cowboy War: Conspiracies From

#### JERRY POLICOFF:

(1) AIB: What new evidence did the HSCA develop during the public hearings?

POLICOFF: We've seen a lot of new information dealing with the way the CIA proceeded and on the background of Jack Ruby. And for the first time we've gotten the medical experts to substantiate the original work of the critics who claimed that the back wound was far lower than the autopsy reports said it was. But this was basically dropped without o

Basically what we have seen is peripheral material that is not directly related to who killed Kennedy. I don't think we've seen

anything substantial from this Committee that's going to have a material impact on the case. If there was anything earth-shaking that came through, it was lost to me, although there may have

AIB: What do you think of the HSCA's four-shot audio tape? Is it authornie?

POLICOFF: I think it's totally inconclusive, I'm willing to accept that the tape is authentic, but I'm not willing to accept that the recording of the shots is authentic. We don't know where the tape was. There have been two different studies made on the tape. One of them claims that the origin of the tape is from the

Stemmons Freeway, and not Dealey Plaza. Assuming that it is authentic, it is very difficult to relate that sequence of shots with what you see on the Zapruder film. If it is authentic, it really creates major problems for the Committee, regardless of whether they are going to go with the fourth shot or not

Originally, the study that was issued supposedly left no doubt hat there were four shots but when that became public testimor the fourth shot became a 50-50 possibility. Regardless of that, we have a 1.6 second distance between two confirmed shots—the first and second. If that's genuine and if those are actual shots, Professor Blakey notwithstanding, there is no way the Committee can get around that. Because all of the evidence indicates that the rifle cannot be fired twice in 1.6 seconds. The evidence for that, I think, is conclusive.

However, Blakey tells the world that the Committee was able to fire the Marinficher Carcano in less than 1.8 seconds. He said it was easy. But we're dealing with a rifle that has been operated many, many, many times since 1963 and I'm sure is a lot looser. And the fact is that when it was operated in 1963 it was very sluggish, and an FBI firearms expert, Robert Frazier, watn't able o do it in less than 2.3 seconds.

(2) AIB: What mistakes or omissions did the HSCA make? POLICOFF: The most appalling single omission was to call Dr. Humes as a witness and not ask him a those question about what went on during the autopsy. To me that just laid the whole thing bere and showed what their motives were. I don't under-

stand how you could have this man on the stand and not ask him why it wan't a complete sutopsy. Not ask him who it was that ordered them not to dissect the back wound. On top of that it's, clear that the man was not telling the truth when he said that he burned his original autopsy notes because they were bloody.

To begin with, the autopsy face sheet, which is in evidence, had blood on it. He was authorized to burn the original notes, as was shown by the receipt he surned in. It was signed by Admiral Burkley. And it's a standard addendum to any autopsy report. It's just totally ridiculous for the Committee to let it go by without asking a tingle question. To have Dr. Humes on the stand for only ten minutes, I can't find any words to describe that.

Another major flaw was their failure to do tests on the single bullet. Nobody has ever produced a bullet that has done anything like what CE399 was supposed to have done, and amerged in that kind of condition. And I think a major omission was their failure to conduct tests as to the probability of that happening.

One of the most significant areas in Oswald's background before the assessmatton was the period in New Orleans. That was factically ignored by the Committee, yet it certainly raises some of the most obvious questions. If Oswald was the assassin, and that's the conclusion they seem to be moving towards, then the immer of 1963 should be a very important period, and Oswald pent that summer in New Orleans associated with several people David Ferrie, Carlos Bringuier, Warran de Brueys-who are at least suspicious. The Committee had an investigative affice in New Orleans, and they should have presented their findings in

Another area that's going to bring their credibility into ques tion is what they are going to release to the public. They've at much as said that they're going to suppress all immunized testimony, and a great deal of their testimony was immunized. I've heard rumors to the effect that they're going to suppress everything and are only going to publish the public hearings and certain documents. They won't have any credibility at all if they do

#### .Clandestine America 3-

that, and they're going to have their own public statements to answer for, because the statement of virtually every member of the Committee was that they didn't want to repeat the biggest mistake of the Warren Commission, which was dealing in com-

olete secrecy. There's another thing that affects their credibility, and that's their open attitude of "let's get the critics." They brought the umbrells man to an open session, and implied that their great investigative work had found the guy and then they just besically brought him up there to ridicule the critics. I think you could go through virtually all of the major works on the assassiantion without finding very many of the critics who have dealt with the umbrella man in any more than a brusque way. Josiah Thompson dealt with him and basically wrote it off. Sylvia Meagher has always suggested that there was an innocent explanation for it. I don't believe Harold Weisberg has ever written about him. And then the crowning touch is that he was found by a Dallas reporter and a Dalfas critic, Earl Golz and Penn Jones, and turned over to the Committee. So for the Committee to take this guy and claim him as their own, and out him on the stand to ridicule the critics, goes right to the heart of their credibility. Are they trying to solve this case or are they trying to ridicule the criticism that has been brought up all of these years?

(3) AIB: What were your hopes for the investigation prior to the public hearings? POLICOFF: That depends on the time frame. A year ago, I had a

lot of hope for the Committee. But for the past year, although I've been hoping I was wrong, everything I saw pointed towards yory negative results from Blakey. AIB: What were the major signs of this?

POLICOFF: The open hostility that Blakey had exhibited towards the critics. I learned that there was a major project inside the Committee to nit-pick the work of the various critical books by going through all of them and finding flaws.

Also, the fact that Blakey gave orders that no Committee staff member was to deal with any of the critics without his specific approval. And the fact that they seemed to be very slow in getting to some of the crucial witnesses. For example, some of the major medical witnesses weren't talked to until as late as the middle of this year.

So in August, before the hearings, my expectations were bleak. And actually I'm pleased now that they're over, because I didn't expect the Committee's lack of objectivity to come across as clearly as it did. Their record is going to be one that is very sasy to toor apart.

(A) AIR: Was it doomed from the start because it was a Congres-

sional investigation? POLICOFF: I think it was. It's clear that Congress wanted a report that was politically acceptable. Congress also didn't want to rock the bost. One of the things that made the problem very clear from the beginning was the dispute between Sprague and Gonzalez, More than the internal conflicts there, the thing that really got Congress upset was that the boat was rocking very

(5) A1B: Compare Sprague and his investigation with Blakey and

POLICOFF: I had problems with Sprague from the point of view of the way he was running the investigation. He saw this as too much of a standard murder case, and it's not. You can't put a branch of detectives out on the street and solve the Kennedy assassination. I think Sprague thought you could. He didn't seem to rely much on his research staff. And this is the kind of case where studious research can be far more important than a lot of out-in-the-street detective work.

Politically, I think Sprague was the best man for the job. Because he made it clear from the beginning that he wasn't going to be subjected to outside pressure. He's the closest thing to an untouchable that I've ever seen.

mun who hasn't ever rocked the boat. Sprague had an

vestigative approach; Blakey had an academic approach, Maybe a mixture of the two would have been better. Blakey had a cautious approach and Sprague's approach was the opposite. I'm giving Blakey the benefit of the doubt and assuming that he wasn't part of a fix. I'm not sure that that's not being overly

Blakey came in with the feeling, "Let's take a look at the old evidence and lay it out." Also, one thing is very clear, and I know this from discussions with people on the inside, Blakey limited the investigation to "what areas can we pursue where we can much an acceptable answer or an acceptable conclusion." In other monte if it was Riskey's pointon that assession X could not he resolved successfully within one year, which was the time frame that he had laid out, then it wouldn't be pursued.

That's another major difference between the two men. Sprague had in mind an open-ended approach. The Warren Commission had a major problem, they had to close up shop and were being rushed to get the Report out. So as important leads came up towards the end of the investigation they were just shovelled under the rug, because there wasn't any time. Sprague's approach was "Let's take as much time as we need to pursue every lead as far as it can be pursued." And I think that's the right approach. Blakey's position coming in was that "we're going to wrap this up by the end of next year." Sprague's approach was if it takes five years, so be it.

(6) AIB: Will the JFK issue now be relegated to a historical question, as Rep. Preyer (JFK Subcommittee Chairman) has said on Face The Nation, with some facts never known?

POLICOFF: Assuming that nothing happens between now and the time the final report is written that might force them to change the report, I don't think we'll ever see another official investigation. I think that's been put to rest. I also think, at least initially, that the media are going to close the book on the case. I think we're going to have a repeat of 1964. There will be a flurry of articles, followed by a flurry of books and a whole new generation of criticism. I don't think the controversy is going to die. And I think there will be things that will come out of this investigation that are going to spark speculation even more than

This was the Establishment's answer to the cry for a new investigation, which had gotten so overwhelming. But it's crear that the Establishment's need was for an investigation which wouldn't rock the boat. So the Establishment has met the need. OK, you asked for an investigation, here it is."

(7) AIB: What are your future work plans on the JFK issue? POLICOFF: I just can't predict right now. There was a time in 1971 when I got so fed up with everything that I took all of my files and put them in boxes and just stored them away. And I didn't dream that my files would ever come out of the closet, And they did, so I don't know, I'm not particularly potimistic right now, I don't think I'll ever lose interest in the issue, but whether I'm going to continue to beat my head against the wall for the rest of my life is another question.

#### DAVID LIFTON:

(1) AIB: What new information came out of the HSCA public

LIFTON: The most important and dramatic new evidence is that we are now getting, for the first time from the government, artists' renderings of the autopsy photographs and x-rays. This has never before happened. We've always had only oral and verbal testimony. Now we're getting pictorial representations of what the camera and x-ray machine produced. Even if it's not the original itself, we are a significant step closer.

AIB: Do you believe in the integrity of these drawings? LIFTON: I do not. I think Ms. Dox (HSCA medical artist) made Stakey is hesically somebody who does represent the status on honest effort to represent what she was shown and I think the





Dallas en Watersare.

medical panel has drawn conclusions based on what they were (3) AIB: What had you expected of the HSCA hearings? shown. I'm not at all convinced that those materials are authentic. LIFTON: I have to focus on the physical evidence. What I really reports, and I'm looking forward to examining those reports

AIB: Any other areas which struck you?

LIFTON: The existence of the Dallas Police tape was new and important information, with the important proviso that it be proved that the motorcycle was really in Dealey Plaza. Assuming that to be the case, then the tape provides new evidence as to, not the timing of the shats so much, as the timing of the sounds that were heard. That's an important distinction.

AIB: Are you comfortable with the four-shot sequence? LIFTON: I have trouble with the idea that merely based on the statistical proument that if the tape is authentic it represents a motorcycle moving at 10 miles an hour, and that that's the proof that it was there. I would like to see the identification made of the motorcycle man whose microphone switch was placed down. Which pure the Committee in a difficult position, because it's the commonly held theory that this was done to iam the police frequency. So you're asking them, in effect, to identify a Dallas policeman who, according to the assassination theorists, was doing this criminal act of jamming the police radio. But the fact is that unless it's proven who this guy is, it remains a question as to whether that motorcycle was in the plaza. And if it's not in the plaza, the Committee may be in the position of basing an entire analysis on a false premise. And they are basing an analysis on it. Because based on those sounds, they are than going to the Zapruder

film and reinterpreting the motions of the President. Al8: Is it possible to identify that motorcyclist based on the LIFTON: My own purely personal view is that it's a failure of photos taken at the time?

on collecting photographs, it can be narrowed down to at most lic. In other words, it's as if they ran through the good old prosix cyclists. Because there is one team of three or four that scutor's case based on the k-ays and photographs and really did the pilot car, and I would hope they would have sworn depositions important candidate for the man who pressed this microphone button down. And of course in doing this questioning they'd in the air that this was a criminal set.

(2) AIB: What were the flaws in the HSCA heurings?

ence was so restricted. It's as If the Committee simply said, "There are the photos and x-rays; now Dr. Baden, tell us how it happened." That's not the issue here. The issue is authenticity and the evolution of this solution. Not that they have a set of roughly as per the Warren Commission.

If there's anything wrong with any of this medical evidence, Dr. James J. Humes is the John Dean in this affair. But he wasn't treated that way at all; none of the members asked him a single question. His hands were shaking and trembling. I mean, here was John Dean, and all they've got to do is really press hard. Instead, all they were worried about was blowing their own case. Because a big hole in their case and they're on their way to finding major fakery. And there's Humst shaking. And you saw what happened. So there's the big tragedy, and if Humes dies in his sleep tomorrow, so sad about i

At the time they gave their testimony they said they were filling expected was a much more thorough and searching exemination of the three autopsy physicians. I expected to see FBI agents Sibert and O'Neill giving public testimony, I am shocked that issues which have been raised in the books and articles, and which anybody conversent in this case is well aware of, were not thoroughly aired in the public hearings. For example, the receipt for a bullet. In an informal contact with a staff member, I was assured that the Committee was handling that. I wanted to see it dealt with in public, I wanted to see Sibert testifying about how he could issue a receipt for "a missile removed by Commander lames J. Humes" from the President's body, and not have such a bullet in the evidence. I want to see that explained. I'm astonished that Dr. Boswell wasn't deposed publicly, despite the fact that he was the one who drew the autopsy diagram. I'm astonished that Dr. Humes wasn't asked when he first wrote anywhere that a bullet traversed the President's neck. All of that should have been asked publicly and it wasn't.

Now they are claiming, for example, that the back wound is at a lower position and that the bullet traveled anatomically upward, even though it went downward in space. I'm really surprised that the person who made the measurement notations in the margins wasn't questioned at great length, whather it was Humes, Boswell, or Finck, Numerous books and articles attacking the critics have used this as evidence that the critics were wrong in talking about the low location of the wound.

(4) AIB: Was this investigation doomed from the start? urage on the part of the staff members who are in charge of LIFTON: It seems to me, with all of the money they're spending the medical area not to give this thing a really close look in pubprecedes the lead cor and there's a group of three that precedes not address, at least in public, the issues I'm talking about. So I would say it's a failure of courage on the part of Blakey, Deputy asking each one whether he had his microphone button down. Chief Coursel Cornwell, and Staff Coursel Andy Pustly. And it's And I think most importantly of all they should identify the really attentishing in the case of Purdy. My feeling is that we cyclist who apparently left the motorcade as the pilot car was were very fortunate in this case to have a guy like Purdy, who turning the corner and went up the Elm Street externion to the started out as a critic, handling the medical area. And I'm sure vicinity of the grassy knoll, where much of the evidence indicates that if Purdy was in my position be would be screaming bloody shots came from. That itself is very suspicious. He would be an imurder over the fact that this area wasn't presented in public. And it takes a great act of faith to assume that it was done in private; in this regard, we know that Dr. Humes was recently have to give a grent of immunity, because of this notion that's contacted by a critic and he said that his private questioning wasn't particularly detailed at all. Now if they didn't have the time for public questioning, they could have done extensive pri-LIFTON: I'm amazed that the public presentation of the medical vate questioning, but by all indications they did neither. I'm astonished, because if I was on that Committee, and even if I was finally persuaded that the assassination happened as the Warren Commission said it did, on the besit of the evidence, I'd go out of my way to expose innocent explanations for all x-rays and photographs that show the assassination happened of these things that have been the cause of books and articles over the past decade.

AIB: Why didn't they probe these areas in public and maybe not even in private?

LIFTON: That's a really good question, I don't know, One of my favorite pet peaves has been the "Tawyer mentality" which you have here. Purdy, Corrisell, and Blakey have a ship, and it sort of flosts. But it has some holes in it. And to ask them to pursue suppose Humas really cracks, and suppose they impeach that these things that they would consider "loote ands" is to ask them autopsy, then their whole case goes down the tubes. And are they to risk porting holes in their boat. And the boat might sink if left with a solution to the crime? Well, not really. They've knocked they press hard enough—if they find that there really was sudging when it comes to the physical evidence. So maybe it's simply a matter that you can't have a person on the one hand assigned to build a case that the shots came from behind and on the other we lose him to history. He's a key figure in this, and so is hand to do what would be in court the adversary function of Or. Boswell. That's what is inexcusable, that as investigators they knocking the case down. But if that were true, then they should failed to really pursue the thing to the end. And that's what is have assigned a separate attorney to do that function. But from what I've seen, they've only done one and not the other.

(5) AIB: Was there a difference between the Sprague and Blakey teams in terms of strategy and results?

LIFTON: Yes. And this is very speculative. The feeling that I have is that Blakey is more of an ivory-tower, academic type of lawyer and Sprague, just in plain simple words, had more guts. And I don't think the reports of the scientific panels would have been any different under Sprague; I still think they would have potten a Dr. Baden-like report that the shots came from behind. But I don't think that Sprague would have been worried about knocking holes in that boat. He would have said, "OK, we have a pattern of evidence that Lee Harvey Oswald fired the shots; however, we have another pattern of evidence that indicates that the first pattern may have been fudged, now let's go after that and pursue that hypothesis." And I think Sprague would have done

I inserviewed Sprague with Robert Sam Anson in the spring of 1977, and I asked him how much of the time has been spent with the issues of evidence. And he looked at me with a very funny look and he said, "One-hundredth of one percent. All of our time was spent getting money, trying to preserve the life of the Committee and so forth." And I got the impression that Sprague never got into the nitty-gritty of the evidence. His investigation never got off the ground. But if you look at what he did do, one of the interesting things is, for example, that he sent a group down to Dalias to get the tape recording of Parkland Hospital witnesses regarding fragments taken from Connally that didn't make it into evidence. I don't see where the Blakey HSCA has done that. So it seems to me, that where the HSCA's strengths will have been that they've got all of these fancy scientific reports, which may turn out to be very useful, their great weakness would be that they didn't have the courage to pursue conspiracy in the areas of inauthenticity in the physical evidence. Blakey has marshalled the evidence the way David Belin would have marshelled the evidence, and I find it hard to believe that when Blakey came in he wasn't lobbled by Belin and people like Belin, just the way Belin had rione with Sprague, And I understand that Bella was in heavy contact with the Committee, and I think someone sold them a hill of goods, saving, "Look, it had to happen this way, that's the way the autopty said it happened." And I would say they made a much greater effort trying to prove Oswald fired the shots than they did to indicate that what they called "bost evidence" may be

AIB: Define "best evidence."

LIFTON: "Best evidence" is when a lawyer has four or five conflicting pieces of evidence or data recenting a certain fact, one of the first things he does is to define, by a legal procedure, what is the "best evidence," and then bases his conclusions on that, It's the "best evidence" that rules the conclusion of an investigation. So if you have five pieces of contradictory evidence, you're going to go with the "best evidence," which in this case means the autopsy photos and x-rays. And if it wasn't for the police tape, I am sure that this Committee would be willing to dismiss the grassy knoll witnesses as hearing echoes, which is the same tort of argument we got from the Warren Commission attorneys. It's the police tape which is giving them trouble, because it too qualifies "best evidence," as far as the recording of a noise heard in Dealey Plaza. So now they have a really dramatic conflict. They have audio evidence that there were noises coming from the grassy knot and medical evidence that the shots came from behind. And so they're putting it together, and the implication that I get is that they're going to leave open the possibility that maybe an assessin fired a bullet from the front that missed. It would mean a conspiracy; but if that was the line Blakey was taking, he was having a platonic affair with conspiracy. And platonic affairs aren't too much fun.

AIB: What do you think of Biskey?

LIFTON: I think he likes to be called "professor." And that's significant because his investigation will carry both the strengths and the weeknesses of a lawyer who's a professor. I think the emphasis on some of these scientific reports is going to be good. He really went out of his way to be meticulous. I just wish he

had been as meticulous and as thorough in his approach to inauthenticity. It's really good that we have scientific reports on what the photos and x-rays show, But now I'd like to see an equivalently thorough and aggressive investigation as to whether any of that stuff has been fudged.

(6) AIB: Will the JFK issue now be releasted, as Ren. Prever has suggested on Face The Nation, to the status of a historical overtion with some facts never known?

LIFTON: I think it is certainly going to be an important histori-cal question, and now and then it will become political. It has the potential to be a political question, but we have to face the face that it will never have the same interest as it did in the years immediately following Kennedy's death, when Johnson was president, and when the wounds were fresh and when the memories of Kennedy were so vivid, and when the people who were so concerned about it watched TV on November 22nd. That's just a matter of time passing, it's not that the investigation is doing it.

But if any break takes place or new evidence is developed. I think it always has the potential for heating up again. That's the kind of case is le-

My feeling is that we have to study the new documents. Because reality is a funny thing. By running a plow through the soil Blakey has turned up evidence that's good for his case, but I am convinced that the very act of plowing the soil is also going to turn up a lot of data that's good for us. And the most promising example again, is this police tape. And I think we are going to find additional data in there which will be useful to us. I'm not saying it will be bombshells, I just don't know.

(7) AIB: What are your work plans?

LIFTON: I have written a book-length manuscript and I am doing everything I can now to bring it to completion, so that it will be published. That's the work that I'm really involved with and expect to continue with it for the next nine or ten months. It will deal with the authenticity of what this Committee calls

the "best evidence."

#### SYLVIA MEAGHER:

(1) AIB: What new evidence did the HSCA's hearings develop? MEAGHER: In the way of pure evidence, I would say the accurtical evidence was the most important, although I think it remains to be evaluated conclusively. The neutron activation analysis was certainly important, although that too needs very thorough evaluation. It's based too much, I feel, on probability and on margins of error, and does not at this moment persuade me. There were other smaller items of new evidence, such as the confirmation that there is a human figure visible behind the retaining wall in the Willis #5 photograph. And the Nosenko story was quite shattering. The discovery that 37 documents were missing from Oswald's CIA file was quite arresting, although I've been told the significance might not be very high. A number of items of this kind turned up, but nothing that to my mind substantially changed the case as we knew it before these hearings opened.

In addition, I thought Judge Griffin's long statement was extremely significant. It constitutes an admission, at least to some degree, of the grave faults of the work of the Warren Commission, I don't think he went all the way. I suppose one couldn't expect him to go as far as to say as some of the critics have said, that the Warren Commission deliberately lied, deliberately misrepresented the great number of facts. But he did go some distance in concurring with the critics, and I think also his change of mind about Ruby was significant. It seems very lear to me that Griffin now does not believe Ruby came in by the Main Street ramp. And that he is much more open to the respiracy thesis as far as Ruby's killing of Oswald is concerned. So I thought that was a very significant point and that Griffin ses have some guts and some honesty as opposed to Rankin or

#### -6. Clandestine America-

any of the other figures on the Warren Commission. I thought New York Times, CBS, and the other major news media are all Ford, McCley, and Cooper were really quite pathetic. AIB: Do you believe in the four-shot audio tape's authenticity?

MEAGHER: I have great difficulty with it because it just doesn't line up with the Zapruder film. If it did, I would have no besitation in accepting it. But every way I measure the timing of the shots and the intervals between the shots, translated into the have a repeat of this whole process of the news media giving great Zapruder film 1 get enormous disparity and inconsistencies.

tape. I certainly at first glance felt elated by the findings, because of ammunition. they were consistent with what most of the critics have always argued. That there were shots that were from at least two, if not more, directions. That the intervals between the shots were extramely tiny, at least between the first and second shots, and that lighte Itialf. The thing that is most wrong with it is that there the single-bullet theory was simply untenable. So, hearing these was no counsel for the defense of Oswald. I have stressed this findings, at first I said, "Gee, that's simply marveloss, that con- all along. You cannot reach any final conclusion about this case firms what we've always said." But when you translate using without a real adversary procedure. Zepruder frame 313 as the one absolutely fixed point of firing, and you reconstruct the shooting on the basis of a specific shot (5) AIB: Compare Sprague and his team with Blakey's team. at 313 followed or preceded by only one-half second by another. MEAGHER: I was out of the country during that whole period shot from the grassy knoll, and then you work your way backwards to the that hit Connally, it does not come out at I guess I never fully caucht up with what was going on at that around frame 238, which it should, in my opinion, since I find time. My general suspicion is that Sprague was aggressive, tough, absolutely irresistible the conclusion that Connaily was hit and inclined to share the views of the critics and hence had to around 238. So I have difficulties with it,

#### (2) AIB: What were the HSCA's flaws?

MEAGHER: I was appalled by the very cursory interrogation of Dr. Humes, I think that's the single most scandalous and out- (6) AIB: Will the JFK issue now be relegated, as Rep. Preyer has available to us, that the Committee made the exhaustive evaluand the very few questions put to him raised enormous suspicion.

I thought that although they did give Marina Oswald Porter some difficult moments they were generally rather soft on her. matter of how she obtained the Hosty license number, which I very long. explained in my book was literally impossible. That was a serious

interpretations are purely tentative. But I was struck by the fact, then the Warren Commission did. That's the only basis on which that the Committee, just like the Warren Commission, had its a sound evaluation can be made of what they've done, And I friendly and unfriendly witnesses. Something that truly has no suppose on that basis some writing will be done by individual place in an objective, importial investigation

#### (3) AIB: What had you expected from the Committee? with a number of fellow critics, I told all of them that this was

going to be a great disappointment to us, that it was going to be findings of the Warren Commission and which people reject. a new Warren Commission, slightly more sophisticated, more careful, but essentially it would be a Warren Commission. AIB: What were the telltale signs?

of the thing, because, as you probably know from the other critics for a left-handed person. Instead of getting the original gunamith who were present. Blakey gave absolutely nothing away. He from the Aberdeen Proving Ground to explain what he meant simply put questions to the group and we all answered the ques- in making the report that the scope was mounted as if for a lefttions and exposed our views. He in turn and the other members handed person, they simply had an expert of their own say there of the staff gave us no clue whatsoever to their thinking. So I was no such thing. Well this really doesn't satisfy me, as the person would have to say it was simply an intuitive but very strong who raised the point. Not at all. And if this is the manner by impression, that this group was not going to do the job that was which they are going to dispose of questions raised by the critics, needed to be done. Though they have done a job that at first I simply won't be satisfied with what they've done glance, I must say, is going to be found very impressive, by those who have always supported the Warren Report snyhow. The (7) AIB: What are your future plans for research on the JFK case?

going to report them mightily. They are going to have to drag out all of the adjectives they used in the fall of 1964 when they greated the Warren Report, which they called "the rock of Gibraltor of all investigations." Wall, of course, they've been proven quite wrong about that, and I think that we're going to accolades to the Committee, disparaging the critics, and I'm I just don't know if it's authentic. It may be a misinterpreted afraid that some of the critics have given them a certain amount

## (4) AIB: What went wrong, was it doomed from the start?

with Sprague and his difficulties and his ultimate resignation and be gotten rid of for that reason. And nobody can say that of Mr. Blakey, In fact, I think Blakey should get the J. Lee Rankin Award of meritorious service.

ragrous element. Now I say this subject to seeing the full documentation and the full report in due course. It may be that in MEAGHER: It's my opinion that that's impossible. I think that executive sessions or depositions that haven't yet been made the visceral feelings of the American people are not going to be removed by this great array of scientific evidence on which they've ation of all of the autopsy and medical evidence that needs to railed to greatly. Because the American public seems to have a be done. But to my mind the cursory hearing of Dr. Humes gut feeling that this story simply is not tanable. And no matter how many experts they bring to bear, the fact is that vary few findings of the experts really have been conclusive or final. They have almost always been findings reached by majority vote, with-And they did not really challenge her as much as they should out any opportunity to hear the minority members of the various have on such matters as the allegations regarding the Walker penels, except in the case of Cyril Wecht. All of the flodings seem shooting and the so-called attempt on Nixon. And they never to be based on probabilities with huge margins of error. And this at all faced her with a systematic survey of her inconsistencies is not the kind of reexamination that's really going to satisfy the and changes in past testimony. Especially with the very important. American public, it may quies things for a while, but not for

It seems to me that the Committee, if it expects any credibility, must publish all of its supporting testimony, depositions, I am waiting for the documentation, without which any documents, photographs, and exhibits. Much more thoroughly critics. I suppose that organized groups, such at the AIB, will continue to prese forward to examine questions to keep the issue alive. Because I feel sure that very few critics, If any, are going to MEAGHER: When I was in Washington in September of 1977 be inclined to accept the findings of the Committee, which it seems to me at this moment are going to be essentially the same

I'm also not really satisfied with the shoddy and unsatisfactory way in which some arguments and evidence adduced by the critics have been dismissed by the Committee. For example, the MEAGHER: It was mainly an intuitive conclusion. Just the feel question of the mounting of the scope on the Mannlicher-Carcano

> MEAGHER: I intend to acquire the report of the Committee and all of its supporting volumes, hearings and exhibits, as I did with

#### -8. Clandestine America-

casts made by the Dallas Police of Osweld in January 1964. AIB: If we assume for argument's sake that he lied about these

dates, then what does this imply? WEISBERG: Then why don't you assume that he lies under other occasions? Without going into motivation, a man who would lie about minor things like this, and these are essentially minor, is a totally undependable man. Now, he lied about how the test results were made available. And when I say he lied, in each case, mean he had personal knowledge, which indicates he was not telling the truth. I'm not talking about accidental error.

I don't know why he lied. It doesn't make much difference. If the man is untruthful on relatively insignificant things like this, how can you take his word for anything? Especially when you consider that he did not meet his obligations as an expert witness, one who previously testified in 50 court procedures. Dr. Guinn also said that the fragment specimens he exemined

did not meet the description of the official specimens. And this of course should have raised the most substantial questions, which the Committee did not pursue.

(3) ASB: What had you expected from the HSCA investigation? WEISBERG: I expected worse than what we got.

AIB: What did they do to make it not so bad? WEISBERG: What made it not so bad was the Committee's incompetence and their arrogence. And they made stupid mistakes. They depend on totally uncritical acceptance. I'm hopeful they won't receive it. They were careless in not craditing prior public

The main Committee formula was to put down those they call critics, and they lumped everybody together. From the insane at the district and appeals court levels. Long ago, I decided that asylum to the Federal courts, anybody who had any question about the Warren Commission or the King assassination is a nut. was to use the Freedom of Information Act, and I've been using The fact is that except for fabrication, and the Committee had a it as extensively as I could. specialty for fabrication, there is nothing of substance that come to light for which the Committee is not indebted to some critics.

#### (4) AIB: Was this investigation doomed from the start?

WEISBERG: First of all, I never believed it should be a select committee in the Congress. Second of all, the people who were influential in the Congress were trying to influence with the grossest misinformation. There was rampant paranola, it was utterly impossible. And the people who began the Committee balleved that crazy stuff. So they began with a certain loser. What were they going to do when they found out all of that stuff was just nonsense?

They had very few choices. They could start from scratch and disavow everything they had done, which very few political people have the integrity and the courage to do, or they could do what they did do. Conduct another cover-up and whitewash, for the most part, in the false context of putting most of the critics down. I forecast everything that was going to happen at a New York University Law School speech in April of 1975.

It was wrong to have a prosecutor in charge of such an investisation. The members of the Committee themselves were unsuited for the job. But the staff does the work anyway. And the staff is be sending more, I am preserving all of the records I receive in controlled by the chief coursel, it is an unusual committee that the exact form in which I receive them from the various agencies. knows enough to cope with a determined chief counsel. Most prosecutors are guights for getting a conviction and they pages I have received in just the last two years, and there will couldn't care less about putting innocent people in jail, because be more. they live by doing that. They always know that instead of seeing to it that justice is done, their political survival, their success, depends on injustice. The jails are full of men who should never have been tried,

Now when you put a prosecutor in charge of a case like this, where basically the only possible legislative handle the Committee had was an investigation into the executive agencies that were involved, you have a prosecutor in effect prosecuting himself. Because these are the kind of people with whom he has spent all of his life. The FBI, CIA, people like that. Now there's just no

examined the results of neutron activation analysis of paraffin chance that either a Richard Sprague or a Robert Blakey was about to do this.

(5) AIB: Was there a difference in the Sprague and Blakey approughes and the results?

WEISBERG: The difference in the Sprague team and the Blakey team is the difference in the style and characters of the two men. We would not have notten different results. If you look at their first report, you will find that the preconceptions under Sprague are there. Based on my own dealings with Sprague, I was certain from the first that what we now have we would have had only with the Sprague style and with his special flair. Otherwise, no difference. The difference would have been superficial.

(6) AtR: Will the JFK issue now be relegated as Rep. Prever has stated on Face The Nation, to the status of a historical question? WEISBERG: No chance. First of all, I think it's entirely improper for Rep. Preyer to say that. I think the Committee knows entirely well that it can't answer the questions; therefore, the people should never be satisfied. The assassination of a president is the most subversive of all crimes. It nullifies an entire system of society. The Committee has no right to investigate murders. The Committee has a right to investigate how the agencies of the federal government worked. It hasn't even conducted a pro-forma investigation of that So who should anchook be extisted with what Richardson Preyer says or what the Committee says? I think it's a pretty severe self-indictment by Mr. Preyer AIB: How will the issue be kept alive politically?

WEISBERG: I can't speak for other critics, but I have about 10 Freedom of Information suits pending in two different courts-In terms of bringing evidence to light, the most promising means

For example, when I got the January 21 and June 23, 1964, executive session transcripts of the Warren Commission released last October, at my own expense I held a press conference and provided copies and relevant material to go with it to the press. This kind of action can be helpful in keeping the issue alive.

(7) AIB: What future work plans do you have on the JFK issue? WEISBERG: I'm going to continue doing what I have been doing. I'm going to continue to get as much of the withheld information as possible, and I'm going to continue to have it permanently available to all of the people, I think that without this, those of us who are in a position to do something about these malfeasances and nonfestances by government become party to those offenses that we bring to light.

I've established a public archive at the University of Wisconsin, Stevens Point Branch, pursuant to a request made many years ago by the Wisconsin Historical Society, I selected the Stavens Point Branch because the outstanding bibliographer in the field, and a man who I came to respect as a very solid professional historian. David Wrone, is at that part of the University of Wisconsin. have begun the deposit of my records there and as I can I will For my own work I make copies. We're talking about 200,000

#### Clandestine America . 7-

and third generation critics who are at work on the case, and 1 and think of suing me. would prefer that they do it. But if nobody else appears to be doing it I think I'll try my hand at it.

#### HAROLD WEISBERG:

HSCA's public hearings?

WEISBERG: I think they did nothing right. This was the American equivalent of a show trial. The Committee began with preconceptions and did what it could to make them appear to be reasonable. It's an updated version of the Warren Report. AIB: What do you think of the HSCA's four-shot audio tape?

Is it authentici WEISBERG: I don't really know about the audio tape, I don't know enough about the accuracy of the original reports to evaluate it. I think that the testing had certain preconceptions built in

-certain limitations. These raise questions in my mind The Dallas Police broadcast on the other channel said that the stuck microphone was on Houston Street. It's quite possible that the broadcast on the other channel was inaccurate. I don't know. I don't know of any investigation reported by this Committee to distinguish between the two

Then there is the allegation that they can't identify which motorcycle it was. This was made without any reference to their having done any questioning. Based on the photo evidence we have, I think it would be child's play to figure out which motorcycleman it was. Plus, what everyone forgots, is that there is an accurate listing of all of the police assignments that day published by the Warren Commission, Everybody knows who was in the

motorcade. And this is totally absent from the Committee's work. Then you would be left with the question, how does this kind of spring-loaded switch get stuck? And what a remarkable coincidence when it got stuck. I can't see how it got stuck. It would have had to have been a short circuit or it was done on purpose.

So while I was impressed by some of the details of the scientific tests, I also have questions about them. For example, there is a second part of the grassy knoll which no one ever talks about. Why did they assume the one particular point on the grassy knoll. which seems to me to be the least likely as the source of a shot? And why didn't they think of a shot underneath the picket fence where it was repaired and where on the high elevated place there is a sewer inlet? Things of that sort. Now, while I don't think there was a shot fired from the second floor of the Dal-Tex Building, why weren't other buildings behind sested from? Why restrict it only to the Book Depository and then only to that one sixth floor window?

(2) AIB: What mistakes did the HSCA make?

WEISBERG: That's a big question, but they never addressed the corpus defecti evidence. This is the body of the case. And you can't take any item of the evidence and separate it from the rest.

For example, the Committee's handling of the medical evidence was remarkably dishonest. And because the press does not include any subject experts, they got away with it. Dr. Baden was a liar, it's that simple. What the Committee went into that appeared new in the medical evidence is all in Post Mortom. The four incherror, for example, in the locating of the head wound was in Post Mortem. The fact that the back wound is lower than the Warren Commission said, on the basis of the same evidence that the Committee used, came to light in Post Mortem, 1 published it in 1965. and I'm saying they used exactly the same evidence I used, and made a big deal out of it.

Now they take this character Dr. Haden, who must have not God knows how many innocent men in jail from the kind of testimony he gave, and they allow him to testify without question, surely carefully rehearted testimony, about the damage to

the Warren Commission. I intend to study it very carefully, and the front of the President's clothing. This is one of the areas in possibly write my own evaluation of their work. I would prefer which Basen fled. And I'm using the word on purpose. There's some younger and able people, and there are a great many second not a chance that he will react and regard this as a defamation

An example is the demage to the front of the President's shirt and tie. Baden addressed only one of the two damages, which are slits and not bullet holes. He said it coincides with the damage to the tie. First of all, when he got the tie it was unknotted, and the evidence of the tie is in the knot, not in the tie itself. So he has no way of knowing. He didn't use any of the existing photographs of the tie before it was unknotted and it is not possible, it simply is physically totally impossible, for the damage that he identified to one of the two slits in the neckband of the shirt to have been caused by a bullet that caused the damage to the knot in the President's tie. And the reason is very simple. In terms of how the President were the garments, the damage to the knot in the tie was to the upper left extreme. The damage to the neckband, on the righthand side of the President's shirt, as it is opened, was below, totally below, the point at which the neckband joins the shirt. This is to say that it was at the diagonally opposite extreme of the knot. Now there's no question as to how that damage was officted. And here again Baden lied. He said he examined all of the evidence. Well, the Warren Commission's own evidence, from the doctor who was in charge at that point, Dr. Charles Carrico, is that the be and the shirt were out under his direction by two nurses in the emergency room using a scalpel. The damage to the knot of the tie was from the scalpel. In the course of cutting the tie off, it went through the neckband of the shirt, as both garments were held away from the President's neck in order not to cut him. This is unequivocal. Now Baden's sin is greater, because he is qualified as an expert in this kind of evidence.

AIB: To what do you ascribe his motives? WEISBERG: Whitewash, Cover-up. Perpetuate the same false story. Without doing this the Committee's work is totally wasted. Obviously, if that damage to the President's tie was not caused by the buillet that caused the damage to the back of the President's body the whole official story, which this Committee was deter-

mined from the first to support, is totally untenable. AIB: Any other flawed testimony?

WEISBERG: Another example is the two fragments of bullet found by the FBI on the front of the President's car, on the third search of the limosine. Unless these two fragments of bullet came from the same bullet, and determining this within reasonable cortainty is within scientific capability, then on this basis alone the total official story is false. Now, both fragments, and these were the two largest of the five recovered fragments, were of copper jacketed material. They are identified as O2 and O3. O2 also had lead core material. Q3 had no lead core material. The expert who testified about this to the Committee, Dr. Vincent Guinn, was funded by the Department of Justice to make a study of the usefulness of neutron activation analysis of copper jacketed material in criminalistics identification. His work was published in the Journal of American Sciences, Now Dr. Guinn's conclusion in this work paid for by the Justice Department was that copper jacket material is superior for such purposes. In his work for the Committee, which in all probability did not ask him to examine the copper jacket material, he made no reference to the copper jacket material, not a bit. Dr. Guinn's sartier work on copper jacket material is confirmed by a similar study made at approximately the same time and published in the same journal, by an expert at Simon Frazier University in Canada and it was funded by the Canadian Ministry of Justice.

The Committee didn't ask him about this, but as an expert he was obligated to do this work. An expert who limits himself in a case of this sort to unfair questions becomes a deliberate deceiver.

Bodies which take evidence normally evaluate a man's credibility. Here are some of the areas in which Guinn lied. He said he had no knowledge of any neutron activation analysis done before May 1964. In fact, he was in touch with John F. Gallagher of the F8I by telephone from Chicago in January 1964. In fact, he **PAUL HOCH:** 

HOCH: Yes, basically I think the scientific tests they did pro-Vided a fot of generally important new data. Tentatively, until I see the final report. I wouldn't want to say I'm convinced by any of it, but I thought the weight of it was quite persuasive. I wouldn't want to get into specifics yet.

AIB: is the four-shot police tape authentic? HOCH: I find it very hard to believe that the Committee and HOCH: I wouldn't want to imply that anything went wrong. I'll their experts could have gotten the results they did from anything less than an authentic tape. The supposed shots passed through their six screening tests. It's assentially the right time on the tape for the shots. You see the data of the characteristic echo patterns which fit what you would expect from Dealey Plaza. You get three shots which correlate remarkably well with the Zepruder film. The question is why would anyone think it was not authentic.

But I think it's important to find out where that motorcycle was, by very closely examining the photographs to see if you can prove or disprove that there was a motorcycle roughly 120 feet behind the limoutine. But the results they got back from the tape look fairly strong, and it would surprise me if they were

From what I gether the Committee would still like to find a fourth shot. I don't think they will be able to say, "This tape very little critical judgement. One of the things I think you proves that there were only three shots, therefore there was no second gunman." Because it can't be used to prove that. AIR: What about a fourth shot from the front?

HOCH: It's hard to believe that a shot from the front hit. But I everyone in this whole business. Everyone wants to find the Bolt, Baranak and Newman. I want to see their report and examine it quite closely.

AIB: You are now willing to believe that only three shots were fired, all from the sixth floor window, and that it may or may not have been Oswald?

HOCH: The first part is certainly now a lot more plausible than It used to be. As to whether it was Oswald, I don't think they added anything to the Warren Commission's case. They must also prove that it's possible to fire the rifle more quickly than the Warren Commission said.

AIB: Anything else in any other areas of the investigation? HOCH: Not really. Not very much. It struck me that outside of the scientific evidence and Judge Griffin's testimony, they didn't have anyone who wanted to tell them a whole lot.

(2) AIB: What were the HSCA's flaws?

HOCH: The things that bothered me at the time were their fallure to press Dr. Humes, their failure to get anywhere with Helms, and generally the lack of attention to what I consider the possibility that Oswald was framed,

There's sort of a consumus among the critics that Oswald was framed-pretty systematically. My feeling is that there's a big circumstantial case against Oswald. And either he did it or he was framed. And I think we have our suspicions about the latter that are quite strong, and I suspect the Committee may not deal with them. They're just going to say, "Well, look, here's all the evidence that he did it."

They haven't resolved the whole question of Dallas Police involvement in the assassination. A basic point I think is pursuing the implications of a possible "big" conspiracy tack to Dealey Plaza. For them to talk about Ruby and organized crime, but not to talk about how Ruby got into the besement of the DPD in real detail, is an omistion. I read Seth Kentor's book recently, Who Was Jack Ruby?, and it seems having DPD Lieutenant Jack Revill talk about how Ruby might have gotten into the basement really Isn't getting to the questions Kantor raises -that this was a compiracy. Kantor names individual police officers that he thinks could have been involved. If they really haven't gone into that, it would be a major flaw.

(3) AIB: What were your hopes for the investigation prior to the

Clandestine America . 97

HOCH: It looked like things were getting better than they had been at the Committee's start. Things had looked very had in the Committee's early history, and things were looking up, if for no other reason than we weren't getting a lot of public nonsense or a lot of questionable leads being pursued in public. But I really didn't know what to expect.

(4) AIB: What went wrong with the investigation, if anything? pass for now and Judge from the final report what went wrong.

(5) AIB: What is your evaluation of the Sprague and Blakey HOCH: Sprague let enough of what he was doing come out so

that I thought it was going very badly, but I would want to see the record. In fact, it struck me that one reason the members would not be too enthusiastic to have the whole record available in the Archives next year is that they have their performance under Sprague to worry about. It could be very embarrassing. .For example, Sprague was saying things about Mexico City that just completely surprised me. He talked about documents I found very hard to believe ever existed. So tentatively, my working hypothesis would be that it was very chaotic under Sprague, that he was going off in all different directions, with could say about Blakey is that he stopped talking to people like Mark Lane, Apparently Lane was very happy with Sprague. I like Stakey, It's a bias. I'm willing to assume good faith by don't trust Dr. Baden quite as much as I trust the experts from truth and do something else. Find the truth and get organized crime, or find the truth and advance your career, or whatever. So I pertainly assume good faith on everyone's part, including

> (6) AIB: Will the issue now be relegated, as Rep. Prever has stated on Face The Nation, to the status of a historical question? HOCH: I think Judge Griffin was right when he testified that the public's interest won't die away within the lifetime of anyone in the hearing room. And I suspect it might die away for the time being. And there may be a certain validity to what Rep. Prayer says. There are questions that can't be answered, but they've got a lot to do to convince us that they've done all one can do to answer all the ones that can be answered.

Sprague, but even with that qualification I think Blakey's OK.

I think I may be a little too close to the issue, but I don't think it will go away, and the Committee must regize that if they don't let all of the evidence out, that makes it much more difficult to have it so away.

We are entitled to access to the bulk of their evidence, Judge Griffin's position was that everything consistant with human decency should be made public. I think it's a good position. If the Committee is smart they will realize the importance of hearing something like that from someone on the Warren Commission, who went through this once before. I just hope they don't make a similar mistake by not perceiving the lasting historical interest. Al8: Do you think there will be a permanent prosecutor set up to investigate these cases?

HOCH: I think the dynamic here is that Blakey is more concerned about having the Justice Department to after organized crime than he is about having the Justice Department going after s Mafis compiracy in the Kennedy case which may or may not have happened. Whether or not there was an assassiantion conspiracy, if he comes out of this with a renewed war on organized crime, it's an achievement. And if you feel the way he does about organized crime, that's a perfectly legitimate approach.

(7) AIB: What future work will you be doing on this issue? HOCH: Working on documents and materials from the House Committee's releases, and from the FBI and CIA. Assuming there are documents to be gotten, I intend to get them still.



### BERNARD FENSTERWALD, JR.:

(1) AIB: Has anything good been developed by the HSCA's

FENSTERWALD: I think there has been considerable good in the public testimony that has been taken because some of it points clearly to at least two riflemen in Desley Plaza. And secondly, I think that if we can persuade the Committee to publish much of the material which it has gathered, but did not come out in the public hearings, that may be even more

AIB: What new information has been forthcoming from the HSCA's hearings?

FENSTERWALD: I thought that the testimony of the audio expert who testified as to four shots and the grouping of those shots was the most important single piece of information. AIB: Do you think the tape is authentic?

FENSTERWALD: I see no reason in view of the testimony to doubt its authenticity.

AIB: Are you satisfied that there were four shors spaced the way

FENSTERWALD: I see nothing in the evidence that I am aware of up to this point that makes it impossible. As a matter of fact, it certainly makes a very believable scenario of two cunmen each firing two shots. A18: From which positions?

FENSTERWALD: I don't know where they came from, I would suspect that one of them may have come from a lower floor of the Depository on the other corner of the building.

I think that if you had a man on the first floor of the opposite corner of the building, that it squares a great deal more with what we know than someone firing from Oswald's window. You don't have the tree problem or the trajectory problems, because the shot that went through John Kennedy was coming at a flat trajectory from right to left, and that is much more in line with someone on the first or second floor on the opposite corner of the building. And that would explain how the shot could go through JFK on a flat trajectory and even exit the car without

I think they've got a lot of testimony in the record that's going to be difficult to square with the Warren Commission. But I think they may attempt to do what the Warren Commission. did, which is to say, "Well, there are inconsistencies, but this is the best we can do.

(2) AIB: What mistakes did the HSCA make?

FENSTERWALD: There are two things. The first is that they permitted the FBI and the CIA to dictate who they could have on their staff. The second thing was that they did not use their subpoens power towards the executive branch. They "worked it. out" with the various agencies, and I don't think in a situation like this that makes any sense. Also, I think their announcement that they would have such people as Sylvia Duran testifying, and then at the last minute she doesn't show, was a great flaw.

(3) AIB: What were your expectations prior to the public

FENSTERWALD: I thought that we were going to be presented with a much more one-sided, straightforward bolstering of the Warren Commission. I was surprised that there was a good deal of contradictory evidence put into the public record.

(A) (Not Asked)

(5) AIB: Compare the Blakey team with the Sprague team? FENSTERWALD: I don't think that you can make a comparison. Because Sprague was having to deal with Henry Gonzalez and I think any chief counsel would have had a great deal of difficulty

in doing a vigorous investigation under that circumstance. So I don't think Sprague really had a decent go at it. On the other hand, I think it's naive of a chief counsel to think that he can get rid of a chairman and then survive himself.

(6) AIB: Will the JFK issue now be relegated to the status of a historical question, as Rep. Preyer has said on Face The Nation? FENSTERWALD: As much us Mr. Preyer would like that to happen, I don't think there's any chance of it, because I think there's still serious doubts in the minds of the public and a number of unsettled questions that are going to have to be answered, and I don't think people will be willing to wait 50 years for them to

AIB: How can the issue be kept alive as a political one? FENSTERWALD: I think this may depend on the amount of information which we can force the Committee to print. The only way I know for people to have an effect on that process is to write to the individual members of the Committee, saying that they hope that the Committee will not do what the Warren Commission did, which is to try to lock up the information for X number of years.

AIB: Don't they have to release most of it?

FENSTERWALD: I don't think so, because I think they can do exactly what the Warren Commission did, which is to lean on the old canard of national security.

(7) AIB: What are your and the CTIA's future plans on this

FENSTERWALD: I personally am gethering as much information as I can with respect to Lee Harvey Oswald's connections to the U.S. government. Not that I think that that necessarily has a bearing on solving the crime. But I think it may well solve the cover-up, which in turn may lead to solving the crime.

The CTIA will continue its work, not only because of the JFK case, but because of a number of others which we have been working on which are not even within the jurisdiction of this

#### **CARL OGLESBY:**

(1) AIB: What new information came out of the HSCA's hearings? OGLESBY: First, the Committee established that Oswald was in contact with the Marcello Mob during his five-month stay in New Orleans in 1963 (through Marcello's aide, Devid Ferrie), and the Marcello Mob was a source of contemporary threats against JFK's life. Im Garrison was once onto the Ferrie angle, but the HSCA has made the relationship a certified official national fact. What remains is to understand it.

Second, the Committee acknowledged that Jack Ruby was an organized crime figure, a mobster of some or another kind, quality and rank. This was an obvious seeming concession maybe, yet it was one which the WC obstinately declined to make, The Committee went on to develop an outline (still quite incomplets, to be sure) of Ruby's fascinating relationship with Santos Trafficente, trime overlord of Tampa and Batista's Cuba, a relationship played out against a background of Cuben smuggling, counterrevolution and what Nixon much later would repeatedly call "the whole Bay of Pigs thing." Trafficants was an ally of Marcello's in anti-Kennedy and anti-Castro activity. The two were also allies of Jimmy Hoffa. They were also allies of the CIA in the plots to hit Castro. It is apparent that we are unravelling here a thick nest of major relationships.

Third, the Committee procured expert analysis of a tape of what purports to be a Dallas Police Department recording of the assassination in progress. The experts authenticated the tape, said that it is in part a record of events beginning at 10 seconds past 12:30 noon, 12/22/63, Dealey Plaza. This record, said the experts, does not prove but strongly indicates that there were four shots, not three, that the third of these was fired from in front of the motorcade from the vicinity of the grasty knoll, and that there are lapsed-time intervals of only 1.6 seconds between shots one and two and 0.5 seconds between shots

#### Clandestine America 11

tion of the shooting.

(2) AIB: What were the flaws in the HSCA's work? OGLESBY: The mandata of the Committee was to review the record of the official search for the truth and the critique of this record. Its purpose was not necessarily to find the final truth, in the sense of solving the case, and certainly its purpose was not to defend the official theory of the lone assassin yet again. Yet from the outset of the Stokes-Blakey period, as is clear to all dry eyes in the audience, the committee was out to prove that the Warren Commission was basically right about "the mechanics" of Dealey Plaza. Blakey's performance was that of a skilled prosecuting attorney building his case against the accused. It was an impressive job, but since when does only one side get to be heard before judgment? If Blakey was to be indulged the tricks of a prosecutor then Stokes as chairman owed it to Congress and the country to guarantee a structured in opportunity for extended and formal response from some capable voice speaking in Oswald's defense The committee's utter failure to offer Oswald's defense the least chance to speak is at bottom what stamps it in effect a comof limited-modified hang-out.

(3) A1B: What were your hopes before the hearings started? OGLESBY: This committee existed because of a popular demand KING CASE for it, and a lot of well-informed people have been paying close attention to its work, as well as paralleling that work with private investigations of their own (as in the case of the Bronson film). The AIB's presence, I was always sure-if we could bring it offwould make a positive difference because we could provide for an occasional focus of the energy and skills of a large part of the entire community of active and effective but essentially separate critics. So I always had some hope for the Committee because it was operating in these dircumstances. And I think this has been proved out. Whatever its original and final intentions, and whatover it will try to get away with in its final report, this Committee's hearings did not bury the issue or destroy the critics or put back together the Humpty Dumpty of the Warren theory. Its shortcomings are many and major, but on the whole it opened the case up wider than before and has a good chance of leading to a more serious investigation.

(4) AIB: What went wrong?

OGLESBY: The Committee, as I say, should not be seen as a failure, or as an obstacle in the path of the search for the truth. Rather, it should be seen as a stepping-stone to something beyond itself, a phase in the slow organizing transformation of official consciousness of the JFK assassination. Of course, if the Committee does not recommend a continuing investigation, this forward impulse may be dissipated; but I think even so it would not be lost.

(6) AtB: Compare Gonzalez-Sprague to Stokes-Blakey?

OGLESBY: We did not see Sprague working long enough to know how he would finally have shaped up. I think he might have been too prosecutorial in somewhat the same way at Blakey, shough from the opposite side of the case. Neither this case nor the general processes of a congressional investigation are such as to permit the "solving the crime" or "cracking the case." All that was possible was sober and honest review of the dispute, then a common sensical recommendation as to what if any new investigative initiatives should be taken, such as the convening of a federal (or Texas) grand jury or the appointment of a special presidential prosecutor.

(6) AIB: Will the issue be relegated to history?

OGLESBY: Already the post-hearing opinion polls have been taken (Washington Post 12/4/78) and we can see what impact the hearings have had on public perceptions. Whereas before the hearings 75% of the people thought there was a conspiracy at

three and four. Any one of these indications, definitely established, would by itself absolutely overthrow the Warren depic- to 80%. And until some governmental body joins with the people to find the truth, instead of constantly trying to get people to stick their heads back down the ostrich hole again, that's where opinion is going to stay. And so long as opinion stays there, the JFK issue will remain political and open, not closed, and the attempt to consign it to "history" will be the mark of dupes and

(7) AIB: What future plans do you have?

OGLESBY: To stay with it, somehow. To write and speak. To work with and through the AIB, whose functions of synthesis, integration, and focus seem to me essential.

## **HSCA MAY FIND** T+ CONSPIRACY IN

The King investigation appears to have found that enti-King conspiracies had formed in at least three spheres, not necessarily

1. The Committee found and reviewed evidence indicating that the FBI, under the open and spiteful prodding of Hoover, had mobilized a totally illegal "COINTELPRO" campaign to destroy the public influence of King. The Committee will probably make a point of saying it found nothing to indicate Hoover wanted the FBI actually to kill King or to have him killed.

Yet the Committee seems to be responding that Hoover's hatred of King and his fear that King would become "a black messiah" may well have generated an atmosphere in which other parties would feel justified in taking executive action. Indeed, n a powerful statement read by Chairman Stokes late in the hearings, the HSCA directly raised the possibility that the FBI might be guilty of "negligent homicide" and of playing "Russian

roulette" with King's life. 2. The Committee found that two shady characters operating near St. Louis, John Kauffman and John Sutherland, both now deed, conspired in 1967 to put a \$50,000 bounty on King's head and to recruit a taker for the offer. Kauffman and Sutherland were members of a white-supremacist, neo-Confederate business man's organization called the Southern States Industrial Council (SSIC). A secret organization unearthed by the Committee's investigation, SSIC was apparently also a secret financial supporter of George Wallace's American Independent Party. The Committee has not settled its view of SSIC or its AIP tie. The question is, as of this late date, still under investigation.

3. The Committee may suggest that James Ray's brothers, Jerry and John, should be indicted as co-conspirators with James in the assassination of King. The famous "Raoul" to whom James has constantly adverted would thus turn out to be a composite of Jerry and John, Such a finding would substantiate the analysis offered first by David Lifton and AIB associate Jeff Cohen in New Times April 1, 1977 ("A Man He Calls Raoul")

But caution, Senior critic Harold Weisberg, no one to disregard on any point of evidence in this case, is convinced that "Repul" was in fact an underworld figure and that the Ray brothers are being railroaded by the F81.

The key question left open by the King subcommittee is whether or not a relationship existed between any or all of these ments. Did the FBI's attitude "touch" the St. Louis group? If the Rays were involved, were they linked to this SSIC? There is no proof as yet in this rather freshly opened area,



#### HSCA MLK HEARINGS-Schedule and Witnesses Called

(Here is the complete witness and subject schedule for the August, November, and December King hearings. Each day's subject heading (italicized and in quotes) was assigned by the HSCA.)

14th - Who Was MLK2"), Witnesses and Exhibits Thenceforth, "W & E"): Opening Statements of Reps. Stokes, Fauntroy, and Devine, Narration, "The History of the Civil Rights Movement": Dr. Ralph Abernathy.

15m-("Medical Evidence"), W & E: Dr. Michael Baden, Chairman of the HSCA medical panel; medical exhibits by Ida Dox,

the HSCA medical illustrator. 16th-l'James Earl Ray"), W & E: Gene Johnson, HSCA Deputy Chief Counsel, "Description of the Crime Scene"; James

Earl Ray (including a 1% hour prepared opening statement), accompanied by counsel, Mark Lane. 17th-1"James Earl Ray" cont'd), W & E: James Earl Ray, 18th-1"James Earl Ray" cont'd), W & E: James Earl Ray

(henceforth JER); HSCA interview of Alexander Anthony Eist, retired Sootiand Yard detective; HSCA staff report, "Compilation of the Statements of JER" (100 pps.-GPO #052-070-04828-7); Mrs. Ethel Peters, Piedmont laundry counter-clerk; Coy Dean Cowden, alleged Ray alibi witness; Ernestine Johnson, HSCA staff investigator, re: HSCA interview of Hurvey Locke; Lawrence E. McFall and Philip T. McFall, Memphis Texaco station owner-powerators.

#### November Hearings

9th-I"The Admissions of JER"), W & E: Opening statements of Reps. Stokes and Fauntroy; Alexander Anthony Eist; Narration, "Circumstances of Corroboration." ("Science"), W & E. Narration, "Science"; HSCA bellistics panel-Monty Lutz, Donald Champagne, John Bates, Jr., Andrew Newquist, Russell Wilhelm and George Wilton.

10th-("Ray's Motives"), W & E: Narration, "Possible Criminal Motives of JER": Taped HSCA interview with Manuela Aquirre Medrano, a Mexican prostitute in 1967 who knew JER. ("Security Stripping"), W & E: Narration, "Official Complicity in Memphis": Edward Redditt, former Memphis detective; Frank Holloman, former Memphis Director of Fire and Safety.

13th-("Security Stripping" cont'd), W & E: Narration, "CB Radio Broadcasts" and "Cutting Down of Trees Behind 422's South Main Street." ("Escape and Capture"), W & E: Edward Evans, HSCA Chief Investigator, re: "Aliases"; Narration, "Conspiracy to Silence?--JER's Guilty Plea"; Percy Foreman, former attorney for JER; Phil N. Canale, former District Attorney for Shalby County, Tennessee; Dr. McCarthy DeMere, attending physician to JER during his Memphis incarceration.

14th - ("Grace Walden"), W & E: William L. Sriggley, former Memphis Police officer; Dr. David F. Moore, supervising psychiatrist at John Gaston Hospital, Memphis (1968); C. Cleveland Drennon, former Assistant Attorney for Shelby County, who was appointed Grace Walden's guardian (1968); Dr. Jumes R. Druff, superintendent of Western State Mental Hospital (WSMH) (1967-69); Dr. Jack C. Neale, III, superintendent of WSMH (1969-73). Dr. Morris Cohen, superintendent of WSMH (1976-78); HSCA Report of Dr. Roger Peele, HSCA psychiatric expert; Duncan Ragadale (Memphis attorney) and Mark Lane, current co-guardians of Grace Walden.

15th-("Ray's Finances"), W & E: Edward Evans, HSCA Chief Investigator, "Staff Report-JER's Finances

17th-("FBI and COINTELPRO"), W & E: Opening statement Rep. Fauntroy re: Allegations made by Mark Lane; Andrew Young, US Ambassador to the UN; Brady Tyson, assistant to Andrew Young Stoney Cooks, executive assistant to Andrew Young Affidavits of Daniel Elisberg and Rev. James Lawson; Narration, "Security and COINTELPRO"; Arthur Murtaugh, former Atlanta FBI agent, James Rose, former Atlanta FBI agent; Charles D. Brennan, former chief of the FBI's Internal Security Section of the Domestic Intelligence Division (1968); George C. Moore, former chief of the FBI's Racial Intelligence Section of the DID (1968): HSCA deposition of Theron Rushing.

former FBI supervisor of the Racial Intelligence Section (1968) 20th-["FBI Complicity and the Invaders"], W & E: Marrell McCullough, former undercover Memphis policemen; Calvin Taylor, former member of the lovaders; John B. Smith and Charles L. Cabbage, founders of the Black Organizing Project of

Memphis and former Invaders. 21st-("F81 Field Office and FBI Contact with JER"), W & E William Lawrence, retired Mamphis FBI agent assigned in 1967 68 to the security investigation of MLK; Robert Jansen, retired SAC Memphis (1987-70), Narration, "FBI Contact with JER." 27th ("FBI"), W & E: Narration, "MURKIN Staff Report" Cartha De Loach, former FBI Assistant Director (1905-70): Statement by Rep. Stokes, "Did The FBI Kill MLK, Je.7 HSCA Staff Report, "An Analysis of the Performance of the Department of Justice and the FBI."

28th - ("Austice Department"), W & E: Ramsey Clark, former US Attorney General (1987-89); Stephen Pollak, Assistant Attorney General of the Civil Rights Division (1967-69).

29th-["Conspiracy Theories"], W & E: Opening Statement of Rep. Stokes; Nerration, "Conspiracy Theories- Out of Many. One To Consider", Russell George Byers, St. Louis man offered \$50,000 to kill MLK in 1968; Judge Murray Rendall, former attorney of Russell Byers; Lawrence Weenick, former attorney of Russell Syers; Edward Evans, HSCA Chief Investigator, "In-

vestigative Report: St. Louis Conspiracy. 30th-("Jerry Ray"), W & E. Jerry Ray, brother of JER, accompanied by counsels Florence Kannedy and William Pepper.

#### December Hearings

1st-("John Ray"), W & E: John Ray, brother of JEH, accompanied by counsel James H. Lesar and investigator Harold Weisberg: Freddie Philips, owner of the Southern Motel, Corinth, Mississippi; Closing Statements of Reps. Fauntroy and Stokes.

#### Clandestine America . 137

#### A NEW FILM OF THE JFK ASSASSINATION

The AIB organized a special screening in Washington last November 26 to show the press selected frames from a newly discovered film of the JFK assassination taken by Charles A. Bronson, Robert Groden and Jerry Policoff were present to show the new 8 mm, color film and explain the significance of its indication that the "lone assassin" may have had company in the sniper's nest. The film's images are tiny and unclear, but as of our press time, the result of a computer enhancement of one of the Bronson frames indicates that at about 12:23, or 7 minutes before the motorcade arrived in Dealey Plaza, there may have been two men in the alleged Oswald window. The HSCA apparently plans to conduct further computer enhancement. If the film holds up in this respect, it will put an end to all singlegumman mythologies once and for all.

Following are edited versions of two documents the AIB prepared for distribution at this screening. "The Bronson Film: Where It Came From" goes into the process by which this important new evidence was rediscovered. "Two Figures in the Sniper's Nest?" reviews some of the previous eye-vritness testimony indicating that more than one person was in the place where only Oswald was supposed to be at the very moment Kennedy was scheduled to arrive in the plaza.

#### THE BRONSON FILM: WHERE IT CAME FROM

At the opening two months ago of the House Select Committee's September hearings on the JFK assassination, Chairman Louis Stokes, JFK Subcommittee Chairman Richardson Prever. and Chief Counsel G. Robert Blakey all spoke confidently of the thoroughness of the investigation whose outlines they were about to present. All the important documents, films, photos and witnesses, they said, had been found and fully examined to the extent that this was possible within the committee's limits. And especially this was true, they said, in regard to the physical evidence bearing on "the mechanics" of the shooting.

sibly the most important new physical invidence to surface since the period of the crime itself, is only now being brought to light. And why the existence of this film should come as such a total jolt to the House Committee and its \$5-million-dollar staff, when the FBI document that led citizen investigators to the Bronson Gth-floor nest of the "lone" assessin. This obliges us to review again film has been in the Select Committee's possession for over a the eye-witness testimony collected by the Werren Commission.

Here is how the Bronson film reached public awareness. Earlier this year, more than a hundred thousand pages of formerly classified FBI documents on the JFK case were made public as a result of suits brought by Harold Weisberg, Paul Hoch and other critics under the Freedom of Information Act. These documents had reportedly already been made available to the Select

This deluge of previously unseen raw intelligence data confronted the critical community with a serious research burden. A few people could not read it all, at least not in the time period of the HSCA's work, and it seemed important that any new discoveries be put before the Committee's investigative machinery. Yet the informal community of assessination scholars and Warren Commission critics had no internal organization capable of co- by the Hertz clock on the Depository roof, he saw a man standing ordinating the work of many readers widely separated from one

first readers identified and pulled all documents that were of any also saw at the same time a second man, "a Negro," leaning possible interest and passed them on to others for more careful

FBI memo 89-43-518, dated November 25, 1953, from SA Milton L. Newsom to SAC, Dallas FBI Field Office, Released

as a result of Weisberg's FOIA suit, this memo was first spotted and pulled by AIB research associate Robert Ranftel. Ranftel then sent this and several thousand other such FBI documen to researcher David Lifton in New York, who recorded them and sent them on to Paul Hoch in Berkeley for cataloging and basic organizing. Hoch then forwarded the documents to several downstream readers. The memo in question thus reached Sylvia Meagher In New York, who consulted with Jerry Policoff in New York and Mary Ferrell in Dallas, This group put the memo in the hands of Dallas Morning News reporter Earl Golz, Golz found Bronson in Ada, Oklahoma, got the film, and took it for analysis to Robert Groden in New Jersey.

Except for newsman Golz and HSCA consultant Groden, none of these researchers is institutionally supported in any way. From Weisberg to Ranftel to Lifton to Hogh to Mescher to Policoff to Ferrell, each is an independent citizen who does the work because of a belief in the importance of the issue and a concern for the country's welfare.

As will unfold over the next few months, more vital new information on the president's assassination is yet to come out. The Bronson film is not the last sensation. Indeed the whole case may indeed now be in the early stages of a full-blown eruption. The consequences of such an eruption are hard now to predict, mainly because so much will depend on the attitudes of those in a position to help or to obstruct the continuing investigation. They alone can decide whether or not the continuing affort to expose the conspiracy responsible for the president's death will be carried out by a broad national front of interests uniting in a cause of simple truth and justice, or whether on the contrary, as is still the case, serious investigation will remain the task of a small group of independent citizen critics who must still fight tooth and nail for every new piece of information. If we can make solving the mystery of the president's murder a task for the government as well as for the people, instead of a task in which the two are set against each other, then the searching out of the truth could be a healing national venture. If we cannot, and the JFK case continues to reflect a smaller civil war, then the coming home of the truth will only bring us greater pain.

#### The world may therefore wonder why the Bronson film, pos- TWO FIGURE'S IN THE SNIPER'S NEST?

The newly discovered Charles Bronson film of the JF K assassingtion indicates that a second person may have been present in the but rejected by it, that tends to support this indication.

A. Carolyn Walther-Mrs. Walther told the FBI that she saw two men in the southeast corner window of an upper floor of the Depository a few minutes before the motorcade came by. She said one of them was holding a rifle and pointing it at the street below. She thought the man with the rifle was a guard. She said he was wearing a white shirt and had blond or light hair. Walther said she saw a second man to the left of the rifleman, partly obscured, wearing a brown suit coat. (Commission Exhibit 2086). Mrs. Waither was not deposed by the Warren Commission. She

was not interviewed by the Select Committee. 8. Arnold Rowland-Rowland was standing with his wife at the west entrance of the Dalles County Records Building on Houston Street, about 150 feet from the Depository, At 12:15 about 3 to 5 feet back inside the window at the southwest corner of the Depository on the 6th floor, Rowland said the man was So an informal network of readers was set up in which the holding a scope-sighted rifle in the port-arms position. He said he against the ledge of the southeast window (2H 170). Rowland sumed the armed men was a security guard. The rifleman The document that began the search for the Bronson film was shortly disappeared from view and Rowland did not see him



## -14 · Clandestine America

again. The "Negro" man stayed there until 5 or 6 minutes before the assassination.

Rowland's observations were so challenging to the Warren Commission's basic conception of the case against Oswald that it devoted two pages of the *Report* (WR 251-52) to discrediting him. The main point the Commission makes against him is that he did not mention the second man until March 1964, when he testified before them. But Rowland insists that he told the FBI about the second man when he was interviewed by them the day after the assassination. He says the FBI told him to forget it (2H 183-85).

Rowland's claim is supported by the testimony of Deputy Sheriff Roger Craig, who told the Warren Commission that Rowland had immediately sought out the authorities to tell them he

had seen two men on the 6th floor (16H 953).

Rowland's claim is even backed up by the Commission itself. On page 251 the *Report* says Rowland failed to mention the second man until March. Nevertheless, two paragraphs later, it quotes Deputy Sheriff Craig's claim that "about 10 minutes after the assassination" Rowland told him "he saw two men on the sixth floor of the Book Depository Building over there," and that one of them had a rifle with a telescopic sight (WR 251).

C. Lillian Mooneyham—Mrs. Mooneyham was interviewed by the FBI on January 8, 1964. She told the FBI she watched the JFK motorcade from the courthouse across from the Depository. She said that "4½ to 5 minutes following the shots [...] she looked up towards the 6th floor of the TSBD and observed the figure of a man standing in the 6th floor window behind some cardboard boxes," standing back from the window and "looking out" (24H 531). A Dallas policeman, M.L. Baker, encountered Oswald in the lunchroom on the second floor of the Depository only 90 seconds after the shots were fired. The man seen by Mooneyham "4½ to 5 minutes" after the shooting therefore could not have been Oswald. (Note: The sniper's nest was not discovered by the police until about 40 minutes after the shooting).

D. Dillard and Powell Photographs—Dr. Bob R. Hunt, photoenhancement expert of the University of Arizona, reported the findings of the HSCA's photographic panel with reference to two photos taken right after the shooting (September 25, 1978). Press photographer Tom Dillard (HSCA Exhibit JFK F-153) took his photo seconds after the final shot, after the alleged rifleman had already fled the window. The Powell photo was taken some two to three minutes later. (Both photos show the face of the Depository). Dr. Hunt concluded that "somebody or something moved boxes around in that room" in the minutes after the assassination, the same time during which Oswald was encountering Officer Baker and Mrs. Reid on the second floor.

Hunt told the HSCA that the change in the configuration of the boxes visible in the Dillard and Powell photographs gave the appearance of "boxes rising up in between" other boxes in the window, just as if someone, in the moments after the shooting, was setting up the sniper's rest which was to be found by police

later

F. Judge Bert Griffin—Judge Griffin of Cleveland was assistant counsel to the Warren Commission. One of his tasks was to follow the search for fingerprints in the sniper's nest. The Warren Report pretends to be confident of establishing Oswald's fingerprints alone in the nest. But the reality was different, for as Griffin would later complain:

"The investigation of the fingerprints was so inadequate, there could have been a football team up there with Oswald and the Commission would not have discovered it." (Source: Griffin to

D. Lifton, taped interview).

#### RECOMMENDED READING

1—"JFK: The Unsolved Murder," *Inquiry*, by Paul Hoch and Jonathan Marshall, 12/25/78; recap of the HSCA hearings. 2—"Tink," *New Yorker*, by Calvin Trillin, 11/27/78; a short, current bio on Josiah Thompson, private detective.



## **SPECIAL DOUBLE—ISSUE**

CLANDESTINE AMERICA - Copyright @ 1978.

AIB Washington Editors— Jeff Goldberg, Jim Kostman, Martin Lee, Carl Oglesby, AIB Contributing Editors— Bob Katz, Fred Webre, David Williams, Harvey Yazijian, AIB Research Associates— Jeff Cohen, Jeff A. Gottlieb, Typesetting/Layout— Art for People, Johanna Vogelsang, AIB Advisory Boerd— David Dellinger, Allen Ginsberg, Tom Hayden, Murray Kempton, Norman Mailét, Jack Newfield, Phillip Nobile, Marcus Raskin, Peter Dele Scott, AIB, Inc., a non-profit corporation, publishes Clandestine America bi-monthly. Submissions for publication are welcome, but we regret that we are unable to offer compensation; please include a stamped, self-return envelope. By-lined articles are a product of the authors only, and do not necessarily reflect the views of all sponsors, advisors, or directors of the AIB. All unattributed articles are a collaborative effort and product of the AIB aditorial staff. Address all editorial/subscription correspondence to: 1322 18th St. NW #21/Washington, DC 20936/(202) 857-0017. Subscription rates:

56/year, individuals; 59/year, libraries and institutions; 59/year, all other foreign airmail. Single copies and back issues are \$1.50 each, including postage. Reproduction without written permission is forbidden.



## Assassination Information Bureau

1322 18th St. NW. Wash., D.C. 20036 (202) 857-0017





FIRST CLASS MAIL



# CLANDESTINE AMERICA



HE WASHINGTON NEWSLETTER OF THE

ASSASSINATION INFORMATION BUREAU

Mar-Apr/May-June 1979

@ AIB, Inc.

Vol. 3 No. 1

"This is the Age of Investigation, and every citizen must investigate." — Ed Sanders

## CONSPIRACY FOUND

The sound of a shot from the grassy knoll has been heard by the House Assassinations Committee since last we met, and the committee has thus been obliged to conclude in its final report that a conspiracy in the JFK assassination was "probable."

The immediate result was shocked, hurt, angry, incredulous outcries from the defenders of the lone-assassin faith, wails of disgust and disbelief from the FBI, a counter-attack through the mass media, and the disintegration of the celebrated "non-partisanship" of the select committee, all the Democrats but one going along with the conspiracy finding, all the Republicans but one dissenting.

But this gets ahead of the story. Our purpose here is to look back on the committee's progress, review the main events that brought it to its last-minute reversal, then take a look beyond to guess what the new situation may be like.

#### THE SHOT

We heard the pre-echo of the knoll shot, the shock wave of it, as the acoustics people might say, on September 11, the fourth day of the committee's public hearings on JFK. It would be three and a half months more before we would hear the blast itself.

The chandeliered hearing room was expectant that bright September morning. The word was out that this was to be the big day for the outside critics, that we were perhaps even to be vindicated by the testimony that the acoustics expert was scheduled to give

Certainly the first three days of the hearings had given the critics no comfort. The members gazed down in seeming contentment as their chief counsel, G. Robert Blakey, systematically went after the arguments advanced against the lone-assassin theory by the first-generation critics. Like a prosecutor in a trial, he set about to pull the magic-bullet theory back together, explain away the backwards headsnap, and shrug off the relatively undeformed condition of bullet 399.

To the satisfaction of the media, Blakey was clearly beating the critics back. Maybe now, they thought, the JFK question was at long last about to be shut down.

Then at the end of the third day a new word was out. A major upheaval was now expected.

New acoustics evidence was about to be presented that would turn the whole case around, weighty scientific proof of conspiracy. Where Warren said three shots were fired, the new evidence said four. Where Warren said all shots came from one gunan firing from behind, the new evidence said one of the shots, the third, was fired from the front, from the area of the grassy knoll.

As we are sure our readers know, the physical basis of these conclusions was a Dallas Police Department Dictabelt recording of the gunfire made automatically through an open mike on a DPD motorcycle riding escort in the motorcade about 120 feet behind the limousine.

This acoustical record of the assassination was known to the Warren Commission, but the commission and the FBI were apparently satisfied that it had little evidentiary value. The critics, especially the Texas group led by Penn Jones and the magnificent Mary Ferrell of Dallas, knew there was important and indeed decisive information on this belt, but lacked the financial and technological means to retrieve it. And there the question lay.

Time passed. The debate alternately sputtered and raged, would not be quelled, and then finally in 1976 the House set up the assassinations committee. In 1977, Mary Ferrell informed this committee of the existence of the belt and turned over a copy of it from her archives. With help from a former Dallas Police Department assistant chief, Paul McCaghren, the committee was able to find and procure the original belt, formerly thought lost or destroyed.

The next step was to send the tape out for analysis to the outfit most experienced and competent in this kind of work, the Cambridge, Massachusetts, acoustic laboratory, Bolt, Beranek, & Newman. BB&N had a long list of scientific and technological achievements to its credit, conspicuous among which was the fact federal courts had directed it to testify as an expert witness in two of the major political court cases of our time, the Kent State shootings and the Nixon 181/2-minute gap.

The BB&N technical analysis of the DPD belt was reduced finally to two propositions derived from two different kinds of scientific activity. First, BB&N used a matched-filtering process to retrieve the possible sounds of shots from the dictabelt's noise. Second came the analysis of the signals thus identified. This analysis was carried out by means of the detailed acoustical examination of the specific signals isolated in the first step—the "impulses" that might be sounds of gunshots. The method was to reproduce these impulses as waveforms and compare them to the waveforms of rifle and pistol shots recorded on August 20, 1978, by the BB&N project team in Dealey Plaza.

The waveforms are complex patterns that contain a great deal of specific information. The waveform produced by a rifle shot can be distinguished from that of a motorcycle backfire, for example, because the bullet, being a supersonic projectile, produces a distinctive shock wave preceding the blast wave. And a shot fired in Dealey Plaza can be distinguished from shots fired in all other places, because the buildings bounding the plaza and their over-all configuration and physical relationship to each other give the plaza a unique acoustical "fingerprint." If the Dealey Plaza test patterns coincide with the Dictabelt patterns, then the Dictabelt impulses are of shots fired in Dealey Plaza or its exact acoustic replica.

So having found the shots and determined their points of origin, BB&N's chief scientist and project leader, Dr. James A. Barger, was about to tell the committee and the world that the Warren Commission was wrong, that there were two gunmen after all, establishing a presumptive case for conspiracy.

Not so fast. As we would find out later, Barger had grown more and more sharply aware, as the time to teatify publicly approached, of the encounty map of the statimony would have. The implications award him. The major late statimony, his amandared the matter, the less did he want his testimony, his amandared the matter, the less did he want his testimony, his amandared him the whole weight of a conspiracy verdick. Cold feet.

The night before he was to testify Barger told senior staff people he was nervous, but the word dight seam to reach the committee members, who convened their public session that morning still expecting to hear a possible scientific refutation of the Warren theory. Thus there was real surprise among them as it dawned that morning that they were not about to get that.

For Barger now seamed to be saying that there was only a 50-50 chance that there was to have a solid seamed of three. It was 50-50 that one of the four shots a most instead of three. It was 50-50 that one of the four shots a mong the four that weak most till self you've by a stern, first all, bit a false elem-that was shot number three, the positive shot from the greaty knot!

One by one the reporters drifted out of the hearing room to phone in retractions of the morning's headline news. By three that afternoon the media were back on the follow-assasin team, looking smug, like people who had just survived a diagnerous

Actually Barger had merely allowed himself to be misunderstood. The point he was making to the committee was that the probability mechanics of his study allowed him to state with certainty that no more than two of these four shots were real shots. This all four were real was only 50-50.

The measurement where here was only out-out.

The measurement where here was only out-out.

The measurement in more of the above filter desired a direct proof of conspiring and thought filter here here the dot in the conspiring the whole things to defently. They might have brought a first conspiring weldener, but they would exact the service of technical ambiguities and complexities that could be sarried by timed into a standard news-stary lead. There were entitled the service of the or not, and if it can't be determined that there were four them the examples on, please, will be that there were four them there examples on, please, will be that there were four them there are that the

So the critics had no accord stuck out their necks to get their necks that how tound themselves in a noise instead. The reporters were again ready to write the whole thing off, more drig usted with comprisery freaks than ever, "See" one of them said to an Alls safer at the function break that dip, 'there's nothing there at all.' And when the Allser begged leave to differ, he sneered, "You gives are just as exery as Mark Lane!"

But if 50.50 on the knoll shot was a defact with of the Warren Commission in the eyes of the model, it was fortunately not so were default of the work of the model, it was fortunately not so were default of the model, it was fortunately not so were default of the model of the model of the work of the work

This was the point at which the two new acoustics experts were out under contract. Their assignment was to review the SBAN tests and carry out additional analysis to detarmine whether or not the existence of a second Dealey Plaza gunnar was indicated in the DPD bets.

The new exparts were professors Mark Welss and Ernest Aschkensary of Queens College, New York, They are asid to rank with Barger in level of expertise. They too, have done fancy accesses work for the military. They, too, were court-appained to study the Nixon and Kent State tapes.

And employing nothing more complex than the classical love of the physics of the propogation of sound, plus accurate architectural and acoustical data on Dealey, Plaza, Weiss and Aschkensey found themselves scientifically forced to state with a better than 95% certainty," that there were four shots and that the third of these was fixed from the knotl. There were too gummen.

That was the Christmas present the acoustics people hended the committee on December 29, 1978: scientific proof of conspiracy.

Was this a vardict that the staff, the committee, and the Congress had wanted to come up with? On the contrary. The new advocates of conspiracy theory were dregged kicking and screaming the whole way. They had not wanted this result.

But only no whose wey. They had not wanded this service out of the property of

This is when, the discounted.

This is when, the discounted the di

Now this solf-tame standard of evidence had reversed its lossing and was committing Blakey and the committee Bassably to a committee flassociation of the standard of the committee flassociation. Science was best and science said way gummen, period. A government body that was every orbably created to silence the conspiracy buffs, freaks and paranoids now found itself cast among them.

#### ELITE REACTIONS

As all know, the overwhelming majority of the American people have intought press; well all along that the Werren Argort was not the last year, well all along that the Werren Argort was not the last year. The policional and media groups who produce the picture of the world we see in the verificing news and the daily guarant. In eight out of firm ordinary people believe JFK was killed by a conspiracy, then eight out of an anaberres, eight out of see policions, eight out of less nachemics, eight out of see policions, eight out of less nachemics, believe of see policions, eight out of less nachemics, believe to deep policions. Weren well as seeningly connect, that there were not many many or significant further questioning, that there were not many many or significant further questioning. The third well along the product of the policion of the policion

And these requestion to what that opinion actuary can also and a see more than the second of the sec

of computative conspiracy theorists."

Well, time waint by, the committee heard the arguments, weighed the evidence, and concluded that Warren and the Star and those of like mind were wrong. There was a conspiracy, after

all. How now, Star? Do we hear an apology? A little self-criticism? Nothing of the sort enters the Star's mind. Right straight on the marches with its heckneyed arrogance. "Modern witchcraft," it grumbles of the acoustics evidence, "esoteric," highly infer-what? "Sentourus."

Then worse, on its news pages of March 16, the Str unleashed its Jereminh O'Leary in an incredible-to-behold effort to muddy the acoustics issue by quoting radionity out of contact certain passages from the final report submitted by Weiss and Aschikanasy in order to make it appear that these two separts had reconsidered and retracted their former testimony on the front case.

Tronc page.

Nothing of the kind was the case. The Star story is chief a felly to see through for among the least educated in the issue. But to the lay public, the impression will have been supported in the insurance of the second in a something serious to argue about a notification. Perhaps there will store to be, the chief the insurance of the distinct of the Chief and the second of the distinct of the Chief scheduler or the liganous posturings of the Star's editorial deception or the liganous posturings of the Star's editorial

The thought returns and abides that even more contemptible than the role of the agencies and institutions of the federal government in the JFK affair has been this role of the independent mass media. It is they most profoundly who beformed the facts and distorted the public content of the Knendey behalts, and who continue to do so even after the evidence against them is definitive.

continues.

The size size will eventually come around on JRF, neverthers, only in fater inner mental set. We noticed with bemuse-insert the all but prurient investigative zeal with which the New Yer Times provided and reported the Niston Rockelled death-bed. seens. On this kind of gossio the big media will all be weekend-weeker's constructions that will will be the properties. Since they have so bedly burned themselves on it in report the since they have so bedly burned themselves on it in

But probably it doesn't matter. If 80% of us can see through the Warren cenocitions when 80% of the mainstream opinion elter are praching to us how sold these concoctions are, then what the "opinion makers" think and say must not make that much difference.

#### WHAT TO DO NOW?

The big question new pending as the final report's publication data seaps being alleged back towe are new tool to look for whe particular tower the particular final report by May 1 st) is what kind of response will the report get from the Justice Department Juscice might say with half. The culprints are still loose. To horsel? But it also might say. "Also: too lists, the whole thing is too boring."

The initiative has yet to shift formally from the committee to the Justice Department because the regort has not yet been published, so even through the committee dated to essential findings at December, because the properties of some inner surreturn have been using this winter historisation to mult the quastion over, and the spee minimal year beautiful properties of government will be well considered. The committee is careful in its final report drift to copy the committee is careful in its final report drift to copy the committee is careful in its final report drift to copy the committee is careful in its final report drift to copy the committee is careful in its final report drift to copy the committee is careful in its final report drift to copy the committee is careful in its final report drift to copy the condition of the control of the contro

The problem here is that these "limited areas" would all apparently involve the FBI, so that if one favors re-opening the case, one finds oneself in the bizarre position of arguing for the FBI to take it up.

No very. The FBI, poor thing, stands indicated in this case. It stands exposed in moral and all bul legal complicity in the morter of the control of the process midescance in the process midescance in the PRI merginal control of the control of th

There are certain tasks, clearly, that the FIBI should carry out. The FIBI should do the two things the committee said of it in its December report. First, the FIBI should review the acoustics and either confirm them or challenge them through additional technical arralysis. Second, if should enhance the relevant total technical arralysis. Second, if should enhance the relevant the "lone assession" and company in the snoter, a rest. They should do these two things because they lie within the province of objectively viriable selection work and the political subjectivity of the Bureau can be factored out with comparative asse. But there can be no hought of considering the FIBI a controlling hand there can be no hought of considering the FIBI a controlling hand

The assassination-conspiracy question takes us into the heart of American darkness. What role the Mob? What role the police? What role the intelligence agencies and the covert-operations elements? What role the military and other foreign powers? What role the optimized without the property of the policinal waters.

A whole separate, independent investigative capability is required to probe such questions. It will have to be recruited from the existing agencies, but it will have to be run by an office as detected as possible from the regular government.

oetacines as públicos rom he regious recement.
The Philadelphia Anguirre is the one and only major American
dally nevespaper the AIB has seen that squarely faced this requirement. "Because of the actions," said the Anguerie in an
quirement described the date of the actions," said the Anguerie in an
experiment of Jenuary 4: 1979, "any findings by Justice II a. the
EIII read Jenuary 4: 1979," any findings by Justice II a. the
EIII read the Anguery 4: 1979, "any findings by Justice II a. the
EIII read the Anguerie of the Anguerie of the Anguerie of the
Describer of Justice,"

The Anguerie of the Angu

The AIB supports this idea. Appointment of a special prosecutor represents the best possible further official development of the case. The problem is that it also requires President Carter to act, and Carter may have reasons for not wenting to act.

#### FUTURE CRITIQUE

As for our critical community, besides agitating however we can for a special prosecutor, we no doubt have very real and quite different kinds of tasks confronting us. My own serse of these (I will not try to be programmatic) will appear in the following observations.

a. There is no need to keep pounding on a long-locked door whose hinges have just sprung loose. The closed door to the JFK assassination will never come unboilted. Like every really important closed door, it comes open first by the wrong side.

Just so with this select committee. From the critical standpoint, it did everything wrong, it coddled sensitive witnesses its Marina Cowald Porter, Richard Helma and Dr. James J. Humes, it toucker-punched critical witnesses like Robert Grodon, "Vill Wocht, and Jack White, it let itself be builled by the CLA, It led off with a strong anti-critical, no-conspiracy anoblesin."

But in spite of all that, it turned the JFK case around. To be sure, mementum can very easily be lost again, but as of spirits 1979, there is a better chance of forward movement in the case than ever before. And that is because this anti-conspiracist committee, despite itsulf, found conspirates.

b. My impression is that some critics have a hard time seeing this and taking it too strategic account it means something that a congressional committee has essentially supported the critics, even if it was trying to destrey them. Some of our failow critics in the committee of the critics is the critical cri

the committee. They have reason, but they should recall that the sage warned us of old to celebrate our victories as funerals and keep our eyes open.

C. The other side of the name one, however, is had the struggle over the trivin its about to go to now index of instant. The article on the committee that Jelf Goldberg at all regions of the committee that Jelf Goldberg at the property of the triving of the structure of the str

This, I hope, is not to sound too deferiously paranoid or selfdramatizing. It is a basic fact about the new situation which all critics and critically-minded people should beer in mind.

d. The JFK question bears subtly and pose-fully on the abusin of presidential politics as we start toward the 1860 elections. We would not presend to know all the ways and cleaning the control of the presence of the presentation of the presence of the

e. The question of Martin Luthern King's murder is not to be digithed. But the link between the assessination of King and the national power struggle underlying it is actually best seen in connection with the Robert Kennedy assessination. That is because King and RFK were murdered within a few weeks of each other and their deaths were equally of a piece with the general context of 1986.

The Kennedy coalition that exploded at Dallas in 1963 was a northern liberal coalition with the conservative Democrats of the south and southwest, straight out of the EDR handbook; liberal north due conservative south equals certain victory at the polis, even if it also equals enormous inserval problems.

But RFK's coalition of 1968, which implicitly included 4 ing and King's constituency, was totally different. By 1968 the refinants. of this JFK coaftion had been destroyed by the Vietnem war and the domestic protest movements. Thus, as "Old South" Johnson resigned, RFK forged a coalition with the "New South" with the forces represented by King. The formation of that "New Politics" coalition, the RFK-King coalition, defined the general situation in which King and RFK were assassinated. That is why it makes more sense to study King's and RFK's assessinations together. Only in the context of 1988 does it become clear how political was King's assassination, how heavy was the impact it had on the processes of the system of power. When we take the King case in the same breath as the JFK, we tend to start feeling it as an event of 1963, thus distorting and sentimentalizing it. King's, assessination as a study in raw national power politics will come moreto the foreground and better in focus as the revision of the history of the U.S. 1960s continues to gain ground

NOTES ON THE DRAFT FINAL REPORT

The committee's final report is not yet published as of our press deadline, and present indications are that the final printed form, with such supplementary technical reports and dissents as

may be included, will not be evaliable before the first of Mey. The AIB has had an opportunity, however, to review the approved draft being circulated to the committee members. Our roview was brief, a few hours, and we warn that our notes on the fact, following, are in no wey exhausity. But for conveying the

general feel of the report, they may be of some interior interest. The report reads well. The story is inherently facinating to most eyes, and chief writer Richard Billings has achieved a direct, simple prose that nicely sets off the sometimes difficult material.

JFK -

The first chapter tells the history of the committee, it is doubt quite sonitized. The sign enbouring matches between He for doubt quite sonitized. The sign enbouring matches between Height Gorsalez, former chairman, and Blichard A. Sprägue, former chief doursel, are conspicuously avoided. There also seems to be little sense conveyed of the history of the JPK issue. The chapter is less than five thousand words.

area used to the thousand words.

If the LFK old my breats into the tirst of its two primary parts.

If the LFK old my breats into the tirst of its two primary parts.

In the copy the Aljs saw, no populing chapter called. The Kennedy Years' was missing, presumebly not yet final distant.

Kennedy Years' was missing, presumebly not yet final distant, with which the committee represents the Kennedy adjustment of the committee of t

A chapter called "On Conspiracy" follows, some 15 thought worlds, it bels us that the committee carried out in these products of the called the

What the committee has in mind here, put in the barest possible terms, is a "limited conspiracy" involving Carlos Marcello. Sentoe Trafficants, in, and James Hoffe, but somehow operating arround Cavada.

However, the report stresses that the conspiracy proved by the knoll shut could be a small one—Develop plus one—and as aerts that the last of conspiracy would in that case be of no social Ngnificance. If the conspiracy was of small social, the committee threat Develop the could nave been a lettwing case.

Then comes an Appulies chapter about 12 thousand words long, laying out the acoustics evidence as presented by

the technical experts Barger, Weiss and Aschkensay, and taking up the various objections that their testimony has been met with. Bottom of it: "Scientific acoustical evidence establishes a high probability that two gurmen fired at President John F. Kennedy."

probability that two gunmen fired at Freedem John A. Asinners,

— A chapter called "Goward" (10 thusand words) concludes
that Oswald fired there ear shots and that the second and third
abots hit. Oswald is painted as a true defector to the Soviets,
a true pro-Castro lettist, and a mentally disturbed man capable
of political assassmantation.

Here we interpolate an aside on this vestly important question of the identity and motive of Gaseld. This question grave the Warren people a problem they could not solve, and true to that stratistion the current group remains. The committee's portrait of Gaseld is the weakest, most myopic part of its visualization of the crime. The committee simply never seems to have asked. "What if Davenid were really innocess?"

Virtual is upwell owner town interest of the letter chapter of the And it is not a small fault. As we in her realize that Rely the report letter is a subject of the letter to the letter of the Cawald. Moreover, the committee appears to realize that if this is truly the case, this "would raise duestions of the utmost serious ness regarding the character of the president's muster."

The segretary are carriedly supply su

The best and of the committee's reconstruction of the assattion of the committee's about Reby. Capit cast upon Redge is, by refraction: light cast upon Operald. If we knew why the flook little devasted—if fall the then we would know what Dawald was. The whole Ruby-Sunday safe of this case remains relatively undereduciped because of the invanese proponderance of attention given over to Dealey Plaza. The committee is work, however, makes it after to any that the comprehension for the Operald model. "Who killed LHD?" is the same question as "Who killed LHD?" is the same question as

The regard almost brings this out, it shows us Ruby's syndicase the and history in sweezine paranam, it helps us feel the crescands of his pre-assistantian contacts with some of the most rubnism should be a pre-assistantian contacts with some of the most rubnism should be a pre-assistant of the Assistantian were close to the wire crimitodes whose hatried of the Asimedya was most intense. The report and the state of the Asimedya was most intense. The report amounts to the Milling ground with "assistance" from someone limited the Dallas jail, a quiet way to suggest a finding that the police were corrupted.

But the report never seems to add it all up, it outlines the Rubyconspirincy theory persuanisely and with apparent conviction, but then on the question of what the devil such a thing might mean, it tries to hide behind the narrow little clicke, "questions of the utmost seriousness."

What questions? The report ought to say that, it ought to say, in as made, "If Rulph in Owned for the Mob, them the Mob, in as the Mob, the say the Mob want Cawald dead, "Mny would the Mob want Cawald dead," Why would the Mob want Cawald dead to be say that a bummed out there goes ever the edge? He say solved their sensits problem. Why would they want to kill him? And 2-th Would want to kill him? And 2-th Would want to kill him? And

But the report will not budge from a Warren-level teith thatwhatever site may be revealed, Cassald fired shots at the president. Not to six too musch of this committee, but this obtusemest does create a major conceptual flaw in the final report. The report indeed softers needlessly for instrusting, asiny these mysterious "questions of the turnost seriousness, unly to leave them hanging, unexplicated, uneveniously, not even "Soviet," a short chapter, proves the Russians didn't do it.
 "Anti-Castro Groups," another 10-thousend-word chapter, lays out the history of anti-Kennedy feelings within, the anti-Castro groups. Goes into Vociana/Bishop, Alpha 68 644 Camp

Street, Farrie, Banister, et al.

"Deganized Grime," "Stout 15 thousand words long, is the longest chapter in the JFK part. It takes up Ruby's associations first, then Oswald's.

This is where the report raises and then dodges the question we chewed on above. Was Ruby "gant of a ophisticated plot to murder Goweld?" We fix the question, but, as noted, we think the report beldy fails to get into it. However, this chapter does offer a good review summary of Ruby's underworld ties, drawn well into focus, not diamised as in Narran Indiede, the drawn well into focus, not diamised as in Narran Indiede, the of the underworld who was acting as such when he killed Owald." The committee concluded, moreover, "reads the report in a crucial passage, that Ruby's shooting of Osweld was not a spontaneous act and that it is worked at least some elements of premoditation. The committee further concluded that it is highly unlikely that Ruby read the police basement without that Ruby reads the police basement without the police basement with the police basement without the police basement

• Observed as assassor, implies the committee, was a boy on a many's job. This complicates the theory that he was acting the assassin's role for an organization as serious as the Mob. But the report continues that organized referred earnings out "ampliand style". It implies only when the signature is needed as part of the Residual Committee and the signature is a needed as part of the Residual Committee and the State of the Sta

• Oswald's possible contacts with the New Orleans underworld are also reviewed here. These include his mother, Marguerite, who may have known certain Marcello Beutenarts socialty, his uncle, Charles Murret, a bookle within the Marcello aystem; and the associated off Arcello's captain, Notio Peccor, who bailed Gewald out of jail when he was arrested as a result of the pempleth southle wife (Joban oxides.)

This section concludes with a discussion of Hotfa's informal hatted of the Konnedys, his ciciamess to Macrolia and Triff-ficante, and the possibility that he might have been a top member of a Kennedy-sassissination conspirary. The report reveals TROBERT Kennedy's initial thought upon hearing of his brother's death was that Hotfa might have been involved.

A six thousand-word chapter sets out the evidence on the Secret Service, the FSI and the CIA and determines they are all

A chapter of about the same length names the respects in which the governmental agencies failed their security task before the assassination and their investigative task afterwards.

 Separate appendix volumes will contain the reports of the scientific panels on forensic pathology. Invariant, acousties, photography, handwriting and fingerprinting, and polygraph analysis, and the staff reports on organized crime, anti-Castro Cubans, and the Noisenko case.

KING -

The King assassination has a long introduction (12 thousand words), a 17-thousand-word chapter on "Ray," and a 23-thousand-word chapter on the "King plot."

thousand-word chapter on the "King plot."

The committee believes, on the basis of the circumstantial evidence available to it, that there is a likelihood that James Earl

Rayassasinated Martin Luther King as a result of a conspiracy." The motive, neither "race one psychology (is) an adequate spiport for [Ray's role in] the assassination," nor solely his need for recognition and ego-fulfillment." The committee therefore turned to a third possibility, financial reward.

End of digression.

The conspiracy was most elementally, thinks the committee, a conspiracy of the three Ray brothers. "Despite denials of the Ray brothers, the committee is convinced that there was substantially more contact among the brothers than they are willing

A major question has always existed as to the source of Ray's rather copious funds, and the committee thinks this source was the previously unsolved robbery of the Alten Bank in Illinois. The committee believed, therefore, that the Alson Bank robbery was the primary source of Ray's funding during the 14-month funitive period "

· Reoul, the mystery figure Ray says guided him around the country, the committee thinks must be a composite of his brothers. "The committee investigation has produced no evidence to corroborate the existence of Recul . . . The committee believed that Ray's post-assessination tale of 'Reoul' was fabricalled to conceal contacts with one or both brothers."

· The committee explored the claim that a group of neo-Confederate recist businessmen and criminal operators, through a secret organization called the Southern States Industrial Council, had put a \$50,000 bounty on King's head, Known as the St. Louis conspiracy, this little deal's two leading figures were John Kauffman and John Sutherland, both now dead. The committee uncovered enough evidence to be convinced that the [Russell] Byers allegation [of the St. Louis conspiracy] was assentially truthful. There was in existence, in 1966 or 1967 in St. Louis, a conspiracy actively soliciting the assassination of Dr. King."

Final conclusions: The King conspiracy investigation "proved frustrating. Only circumstantial evidence was developed. Direct evidence that would connect St. Louis to Memphis [i.e., the Sutherland-Kauffman group to the Ray brothers) was not obtained." "Nevertheless, in light of the several alternate routes established by the evidence through which information of the offer could have reached the assessin, the committee believes it was likely that James Earl Ray was aware of the existence of this conspiracy.

"No evidence of a pay-off to Ray or his brothers was found either before or after the assessination," but there were indicetions that the Sutherland-Kauffman group intersected with the American Independence Party of George Wallace, such that the committee can state: "It was in these campaign activities (of the Wallace partyl that the committee found the most likely connective between James Earl Ray and the St. Louis conspiracy.

• in a 14-thousand-word chapter the committee goes into "miscellaneous allegations" and concludes "that no private organizations or individuals, other than those discussed under Section 8 [i.e., the St. Louis conspiracy], were involved in the assessination of King." Other groups discussed and dismissed in this section include the KKK, the Minutemen, the National States Rights Party (J.B. Stoner), organized crime in Memphis and New Orleans, and Leon and Claude Powell.

• The last chapter of the King section (10 thousand words) goes into the question of "government complicity." FBI problems are rampant in two areas. First, the FBI's massively-documented pre-assessination attempts to destroy King's leadership. Second. after the assessination, its refusal to investigate conspiracy. leads, restricting its efforts to the search for Ray

· Separate appendix volumes will contain the reports of the committee's scientific panels on forensic pathology, firearms. engineering, handwriting and fingerprinting, and polygraph analysis, and the staff reports on "the FBI investigation of the King assassination," "the James Earl Ray guilty plea," "Ray's trip to New Orleans in December 1987," "King assessination witness Charles Stephens," "the American Nezi Party," and "alleged racial incidents involving James Earl Ray."

- C.O. with J.G.

To our readers:

As you note, this is a double issue, our fattest issue yet at 16 pages. This reflects two conditions. One is that the activity of the assassination-conspiracy debate has been very high and there is much to talk about. The other is that throughout this whole winter and now on into spring, the AlB has been kept functioning by only two people, it has been impossible for us to maintain the daily round of work-following the hearings, keeping in touch with the committee, with the media, with people on the hill, maintaining our own longer-term research and investigative efforts, keeping the office in shape, answering the mail, trying periodically to raise money—and at the same time pul out a newsletter once every two months, our normal schedule. Judging from reactions to the double Issue we published this past winter, it suits our readers to have less frequent but larger issues, so we decided that since it seems okay with you and makes things much easier for us, we'd leave it for a while on this footing. Unless we hear a round of vehement objections, your next newsletter will come in August.

We trust that we need remind none of our supporters that we need their support. We have already made that point several times in past issues. It continues to be true. however, and we wonder if a gentle prodding would shake loose a little spare change from those who like the work we've been doing in Washington. We have helped make people of official Washington and the big media take the conspiracy question more seriously and get past the peculiar snobbism that has blacked out this question for polite

The thing is moving and we can use your help.

Chancs The Editors

#### HSCA VOLUMES RELEASED

As we go to press the HSCA's printed volumes of hear ings and exhibits for both JFK and MLK are being issued by the Government Printing Office (GPO). These volumes are officially titled: Hearings Before the Select Committee on Assassinations of the U.S. House of Representatives. Minety-Filty Congress, Second Session.

Although no final details have been set, it appears that all of the Kennedy and King hearings will be out by early April and will run to between 15 and 20 volumes total. This does not include the final reports, investigative summaries, or scientific reports, which will follow by May 1 and total an additional 10 to 15 volumes.

All volumes should be ordered from the following uddress

Superintendent of Documents U.S. Government Printing Office Washington, DC 20402

[(202) 275-3030 - GPD Congressional office]

The following volumes (with individual serial numbers) have already been released Vol 1, #052-070-04768-2. 64.25, MLK-August 14-16; Vol. 2, #052-070-04769-1. \$4.75, MLK-August 17; Vol. 3, #052-070-04770-4, \$5.00. MLK-August 16; Vol. 4, 052-070-04844-1, \$4.00, MLK-November 3-10

#### MEDIA REACTIONS

Nobody quite expected the mass media to roll over and play buff merely because a few acoustics experts had given the world scientific proof of conspiracy. Old ways die hard.

Nonetheless, it has been quite an education to see the editoriolists of the nation go to work on the problem of the JFK accustics evidence. Following is a compendium of the choicer utter-

The New York Times (Jan. 7, 1979) issped directly into a metaphysics of language to hit at the use of the word "conspiracy."

To the lay public, "the Times intoned, as though it were talking to somebody else, "the word is freighted with dark connotations of maleyolence perpetrated by enemies, foreign or political. But 'two maniacs instead of one' might be more like it."

The Washington Post (Jan. 6, 1979) was very angry. The conspiracy finding. It noted, "appears to be based solely on scientific, acoustical evidence," and it found that not to its taste. "All that is left is a theory of conspiracy stripped of the international or domestic intrigue on which many of the Warren Commission critics have focused ... There seems little reason for the Justice Department to use its resources exploring the dead ends and purauting the gold trails that the committee is presenting it in the Kennedy case . . . Leave the matter where it now rests as one of history's most agenizing unresolved mysteries." Quite an amazing position to take, when you look at it. On one hand, apony, mystery, unresolution. On the other, take two aspirin and try to sleep it off.

Or take the Washington Past columnist, Richard Cohen (Jan. 7. 1979; "This is ... a conspiracy between Lee Harvey Oswald. and someone like him-Oswald Harvey Lee, Make up a name, it's a clone of the same man. He allegedly fired the shot that never bit, if he fired it. If he was there ... The fact of the matter is that ( I no longer know why I believe what I believe." Well put.

Newsweek (Jan. 1, 1979): Conspiracy theory is "sorely lack; no." "Many people may question the use of arcane mathematic cal and computer techniques to recreate complex physical events from a crackly tape." Newsweek further misinformed its reader by saying, falsely, that "the recording [of the gunfire] ... was never made available to the Warren Commis

The Boston Globe (Jan. 4, 1979) could not resist the usual dig at the motives of the independent critics who have led the chase no far. "For those who have long propounded conspiracy theories. for both murders, the report was, in its bizarre way, reassuring. Then as though by deep reflex the Globe moved to defuse the implications of the new evidence. The conspiracies the committee seems to perceive are of a much lower order, involving the private hatreds of private men." Whatever that means.

The Chicago Iribune (Jen. 5, 1979) huffed, "This is scant value for the time and money spent . . . We beg to be spared from any more of these 'official investigations' which squander money and produce little but more speculation."

The amazing heights to which no conspiracy editorialists can soar when pressed by hot evidence is not a spectacle confined to the bigger papers.

The Cedar Repids Gazette (Jan. 4, 1979), for example, really unloaded on the conspiracy finding. The acoustics analysis, it sneered, gave us "no hard goods to see and touch. . . What clusions] is as good as mine. I've really got no comment on it Congress has come up with on the Kennedy assessination, as it stands, establishes a plot behind it no more solidly with saying one was there than someone else's saying there was no conspiracy refutes a plot. The scientific shot-tape data no more clinch the presence of conspiracy than radar blips and pictures of something on film establish UFOs as bringing visitors from outer space.

The Indianapolis Star (Jan. 9, 1978) roared, "It is old, rehashed stuff. ... The pointlessness and lack of substance of this outlandishly expensive venture is amateur detective play and

theatrics is faic! measurable in terms of its failure to produce any solid new lead or body of evidence sufficient for so much as one criminal indictment."

The Norfolk Virginian-Pilot (Jan. 4, 1979) also put a very confident face on to tall its readers: "But after all the hullabelloo by consoiracy entrepreneurs, neither the House Select Committee nor among else has unearthed nersupping avidence of farreaching store to kill Mr. Kannady or Dr. King Those competted to suck the sinister to biob places and law will not be reassured. but, also, they never are.

Denver's Rocky Mountain News (Jan. 4, 1979) assured its reeders that the conspiracy question was based "soley on the belated analysis of a fuzzy tape recording that may well be guestioned by other experts . . . . The verdict of the Warren Commission stands unshaken The Austin American-Statesman (Jan. 4, 1979): "Conspiracy

buffs don't need supportive evidence to bolster their conclusions. But the majority of the American people is not so credulous as to believe everything it hears, especially on tape. Said the Phoenis Republic (Jan. 3, 1979): "It was time and

But here and there, twinkling away in the vast night of the media's collective mind, there were points of brilliance, little stars of understanding and elementary intellectual honesty, and one of these was the Keene (N.H.) Sentinel of Jan. 25. The Sentinel editorialized when the acoustics results first came out that it would be interesting to observe the reaction of those in the media who had been assuring us for 15 years that Oswald had acted alone and that any suspicion to the contrary was the result of a psychological inability to believe that a lone madma could till a president. The editorial then mentions many of the actions of "lone-assassin buffs"-a nice turn of phrase, thatwhich we have purselyes been reviewing here. We sixed what the alune had to say

"If as a nation, we are disinclined to examine possible conspiracies when our leaders are shot down in the street, perhaps we would be more honest to pass a constitutional amendment stipulating that, in the future, prominent Americans can be assassinated only by deranged individuals acting alone. That would clear the nir

- JG and CO

#### OTHER REACTIONS

(The following is a composite of quotes compiled from press accounts since January 1, 1979.)

Marguerite Oswald--(Lee Oswald's mother)-- " The volery committee has done its work, tried hard, they are men of integrity, but they made the same mistake as the Warren Commission. My late son Lee Harvey Oswald was framed for the nurder of President Kennedy . . . They are saying in effect that Lee Harvey Oswald was one of the gunmen and I will emphatically say they are wrong .... I hope and know the future will vindicate my son entirely. I welcome further investigation and believe it is mandatory."

Marine Oswald- "Your guess [about the Committee's conand have not been keeping up with it.

Jesse Curry-(former DPD Chief)- "I don't know how it could make any different at all, now..... I've always said it was possible that there could be a conspiracy. I don't know whether they'll have another big investigation on this latest thing or what." Henry Wade-(Dallas District Attorney)- "There have been at least 15 books written that say there was firing from the grassy knoll: haven't there? I have no idea if there was a conspiracy or not. I doubt the committee knows. If they bring us a body and say he is a conspiractor, we'll prosecute him . . There are still people



questioning whether John Wilkes Booth killed Lincoln." Will Fritz-(Resired DPD Homicide Captain)- "As far as I'm concerned, it was finished a long time ago. I'm not concerned with it any more. I didn't see any evidence of conspiracy."

J. Gordon Shanklin-(Former Dallas FBI Chief)- "I think (the Committee) can still go back and see all the allegations that were made and how they were run out. I know of nothing we didn't run out. That's all I can say about it."

Waggoner Carr-(Former Texas Attorney General)- "Lam very doubtful of it. I do not feel four shots were fired. They're still debating the death of President Lincoln, Further investigation would do nothing but raise additional doubts. Unless something definite comes along, they should close the books and let the Kennedy family relax.

David Belin - (Counsel to the Warren and Rockefeller Commissions)-- "Congress is just plain wrong. There was no second gunman firing from the gressy knoll. I've seen tots of expert testimony where people differ. Just to look at the acoustical testimony without looking at the overall record is like blindfolding yourself and trying to trill what an elephant looks like by feeling its trunk."

Albert E. Jenner-(Assistant Counsel to the Warren Commission)—He called the HSCA conclusion. "a great disservice to the American people. These professors say they heard another shot and the committee jumps to the conclusion that there was a conspiracy. That is thoroughly illogical. They say they heard another shot, but nobody ever said they saw anyone with a gun." William Manchester-(Author of Death of a President, 1967-This gives further fuel to the conspiracy business that has been exploiting the grief of the nation." The conspiracy theory, he said.

#### INTERVIEW: DAN MOLDEA

"upset him and goes against all the evidence."

Dan E. Moldes's The Hatta Wars (Paddington Press, 1978) is earning quick recognition as an important contribution to the understanding of the politics of the JFK assassination. The author sat for an interview at the AiB's Washington office in mid-March, 1979. The following is an edited transcript.

AIB: Could you explain your theory for the basis of Hoffa's underworld support from the time just after the Kennedy assessination until his release from prison in 19717.

MOLDEA: After the Kennedy assassination, in November of 1963, Hoffa's primary supporters for keeping him out of jail were Carlos Mercello of Louisiana and Santos Trafficante of Florida. Northeastern crime families were for all intents and purposes beginning to withdraw support from Hoffs, because he was in so much trouble and starting to draw heat to them.

During the early 60's there were two serious Mob wars which had broken out in New York. One was called the Profect War and the other, which came later, was called the "Banana War." The Profeci War lested from 1960 to 1962, and was basically an internal family matter where two subordinates were trying to get a bigger share of the action from the boss. Joe Profaci of Brooklyn. The Zerilli and Tocco families of Detroit were related to Profaci. I apologize for making this sound like a Russian novel with Sicilian names, but it's absolutely necessary to the whole story. The National Crime Syndicate and its commission had deroided that the Profaci War was an internal family feud and told everyone to stay out of it. Zerilli and Tocco, even though they were related to Profaci, decided to stay neutral in the war. And

when Profaci died in 1962, Zerilli was rewarded with a position on the commission to replace Profect

Joe Bonanno of New York, on the other hand, was also related to Profaci, but he did not stay out of the wor. He supported Prefaci. and this led to the so-called "Banana War" of 1963, which lasted

All of this background information is of primary significance to Hoffs as we will soon see.

During the early 1960's, Mrs. Hoffa had had an affair with an underworld figure named Anthony Cimini who was under Joe Zerilli's jurisdiction in Detroit. When Hoffe found out about his wife's affair, he went to Zerilli and asked him to order Cimini away from his wife. Cimini balked at Zerilli's ensuing command and he was allegedly set up holding stolen securities and eventually was sent to jail. Mrs. Hoffs then came home.

Zerilli in turn wanted a favor from Heffa, and according to my sources, that favor was for Hoffa to leave a friendly person if his place when Hoffe went to jail. That friendly person, of course. was Frank Fitzsimmons, who was also from Detroit and who was also quite well connected with the Detroit underworld.

Marcello and Trafficante continued to support Hoffa even after he went to jail in March of 1967, Joe Bonanno, who had arranged his own disappearance from 1964 to 1966 to avoid governm prosecution and mob reprisals for his actions in the "Banana Wars," had also gone to the South, to Arizona, and forged an affiance with Marcello and Trafficante. This triumverate of Southern crime figures rivaled that of the Northeastern crime families, which were supporting Joseph Zerith's selection of Fitzsimmons as the new Teamster president. While the Zerilliled North backed Fitzsimmons, Holfa's support was geograph ically centralized in the South.

While in jail in Lewisburg Penisentiary serving a 13-year sen tence for jury tempering and pension fraud. Hofte had made prison alliance with Cermine Galante, who was the underboss in the Bonanno family. Also in Lewisburg was Anthony Proven zano, a captain in the Genovese family, which was warring with the Bossone family. During his stay in prison, Hoffe and Galante both had fist fights with Provenzeno. So what we had here was a little mob war going on in Lawisburg Penitentiary, which threat de mob war between families in the ened to create a nationy Northeast and the South.

When Richard Nixon was elected in November of 1968, Jimm Hoffs was supposed to be soonafter released from prison according to published reports. As I say in my book, John Machell and Frank Fitzsimmons had numerous discussions during this period of time. We do not know the actual substance of these discussions, but I believe and theorize, and tabel it as such in the book, that the substance of these talks between Fitzsimmons and Nixon's Attorney General was to make Mitchell aware of this langerous situation that was brewing between the Northeast and the South. Fitzsimmons was telling Mischell that the release of Hoffs would allow Hoffs to take his revenge on the North mastern femilies while supporting his allies in the South with union pension funds and other favors. The Northern mob would try to protect their interests and a nationwide mob war could erupt out of the "Benana Wars" which were continuing in

In February of 1969, less than a month after Nixon took office. the "Banana Wars" ended, and the Teamsters and the mot began to neutralize Hoffa's support in the South. Fitzsimmons peacemaker was Chicago underworld associate Allen Dorfman who was respected by both sides in the struggle. His job was to be sure that everyone got their share of the Union's billion dotter pension and welfare fund.

By December, 1971, when Hoffa was released from prison. believe that Hoffa's underworld support in the South had been neutralized as a result of the 1969 decision to keep Hoffs in jest In other words, the southern mob, Hoffs's primary supporters had been appeased by the union. Therefore Hoffs was no longer

say, closed out and neutralized by Fitzsimmons?

MOLDEA: I believe that Hoffa was becoming an unpredictable as Sam Giancens of Chicago in the eyes of the underworld. And year I believe that both of their murders were directly related to the during the summer of 1975.

We know and can document that during the Senate Watergate Committee hearings Hoffe was leaking information to Ervin's Committee, via a source in Washington, as a means of getting even with Nixon, who had placed the restrictions on his commutation—which said Hoffa couldn't seek union office until 1980—and those members of the Teamster leadership who had engineered those restrictions.

During the summer of 1975, information had been leaked to the Cherth Committee that five underworld figures had been involved in the Castro plots before Roselli, Giancana, and Wess Coast Mafia leader, has been in federal custody for the Trafficants were brought in by Robert Maheu. Those five mob jurns were Russell Buffelino, one of Fitzsimmons' principal supporters years later, and his associates from the Northeast. Delieve that Hoffa was the original tailon between the CIA and federal hands—an unparalleled opportunity for law enforce-the underworld in those plots before Maheu became involved ment. Fratianno knows more about the Mob than other inthe theoretical in the post of Committee via that Same source he used during the Segate Waterparts investigation. And if it's true that the assassination esch off from the Castro plots, then Hoffe, by leaking this inforquetten to the Church Committee, was jeopardizing the under would a darkest secret. This is the reason why Russell Buffaling. orized the murder of Jimmy Hoffe in July, 1975

AIR: How was Jimmy Hoffa killed?

MOLDEA: As l'indicate in my book, Hoffe thought he was to meet Anthony Provenzano and a Detroit gangater at a suburban Detroit restaurant. At the restaurant, the government believes he was been a contract out on Fratianno's life since 1977. At the NY picked up by Charles O'Brien, Hoffa's "foster-son", and the brother of the Detroit mobster.

allegedly greeted by three men who were known associates of Anthony Provenzano. Hoffa was shot and killed, the government believes, and then his body was disposed of from there.

There was a report previousy that Hoffa's body was put in a paper shredder, but this report [in Steven Brill's The Teamster's] has been refused by the government. The fact of the matter is that thits west of the Mississippi since 1950. And importantly for the best information the government has is that Hoffa's body was stuffed into a 55 gallon drum and shipped by a particular trucking company to an unknown destination. The government does not have sol' I information as to the finel disposition of Hoffe's body. My own information on this, however, comes from Charles Crimaldi's 1976 biography, Crimaldi was a Chicago underworld tamiliar with Fretianno, there is virtually unanimous consensus figure associated with Gianciana, who indicated that Hoffa's among organized crime experts that he is immersurably more body had been crushed and smelted

AIB: How has the government performed in going after and prosecuting Hoffa's killers?

Russell Buffaline, who allegedly authorized it. Anthony Pro- plots against Castro. And it is virtually unanimous among experts venzano, who allegedly had the contract; the three men/who allegedly carried out the contract; the man who picked Hoffsup; and the man who allegedly picked up the three Hoffa killers at the airport. All of these men are having severe legal problems about Mob involvement in the JFK assassination conspiracy."

Bussell Buffaling has been indicted and convicted for extortion, and is serving a four-year stretch in prison. Anthony Provenzano if the JFK assassination was a Mob hit. If Giancana was behind was convicted for pension fraud and for murder and is serving a lit be would have known, and he may well have known if Carlos

AIB: Why then did the Mob need to kill Hoffs if he was, as you long stretch in prison. Charles O'Brien, the man who allegedly picked up Hoffe, has been indicted and convicted twice. The others have either already been indicted or will soon be indicted with the exception of Selvatore Brigoglio, who was murdered last

I think the government is doing an excellent job with this case Church Committee's closed hearings which were going on under the circumstances, but the government still has not made as full a commitment against the underworld as the problem

#### WHAT DOES JIMMY KNOW?

Aldena (Jimmy "the Wessel") Fratianno, a top hit-man and past year "salking" about the full range of Mob crimes, killings, dealings, and associations. He has been called by one Washington source, "the highest ranking U.S. mobster ever to come into

Eurrently he has immunity and is negotiating with the Justice Benartment under the witness protection program to tell all he knows for a short prison term of no more than five years, plus a new identity and protection.

Already he has told grand juries what he knows about 25 killings. Testifying at a trial in New York City in December. he acknowledged that he participated in nine murders from 1947 to 1953 and two more murders last year. He added that he personally killed at least four of the victims. Authorities termed several of these 25 killings as "important" mob hits.

The Mob is sore, of course from all this talk, and there has trial, which involved reputed members of New York's organized crime families in a skimming operation, the defense reportedly Holfa was taken to a nearby private residence where he was called the government's arrangement with Fratianno "a deal with the devil.

Fratianno, 65, was a key, behind-the-scenes, operator in the Los Angeles mob for the past 20 years and was allegedly a top execution apprialled for mobators across the country. One mob expert helieves Fratianno has knowledge of most important mob government investigators, he is said to have today a complete memory of these murders. He also had first hand knowledge of ton-level national crime syndicate meetings, though never formally a member of the tonmost group.

According to a Congressional investigator on organized crime important than Joe Valachi, Senate witness in 1963 and the most publicized Mob informant to date. The is a whole world beyond Valachi," says this source, "Valuely knew nothing, be only knew about one New York City family. Fratianno had per sonal-knowledge of high-level Mob killings. He was very close to MOLDEA: The people who were allegedly involved in it are Johnny Rosselli and he probably had input on the CIA-Maria that he knows who killed Rosselli and why. Also Sam Giancana

Trus source is optimistic that Fratianno has vital information he really told the truth, he could tell what would be involved in any important syndicate hit and what would have been involved

Marcello did it. He has had some past dealings with Marcello [New Orleans crime boss]," This source continues, "Fratianno would know such atmospheric things particular to the Mob as how long the planning for the assassination would have taken. what the significance of it occurring in Dallas would have been. and what specifically was the extent of the Dallas Police force being on the take and whose take it was-Glancana's or

The Justice Department is reluctant to answer questions about Fratienno because he is scheduled to testify in several sensitive trials and officials don't want to generate any pre-trial publicity. However, it should be noted that a high-level Justice Department source is not as optimistic of Fratianno's knowledge of the JFK. case. "He obviously knows stuff about Rosselli and Giancena." this source said. "but in the context of the Kennedy assassina-

Since last spring, the House Assessinations Committee negotiated with Fratianno and his attorneys and the Justice Departmant for an interview on the JFK assassination. The committee reasoned that if JFK was a Mob hit, since Dallas is west of the Mississippi. Fratianno might have been informed or consulted. The committee was unsuccessful in getting the interview and blamus Fratianno's lawyers for foot-drapping. The committee didn't have any power to force him to talk to them nor any inducements to offer him; he already has his immunity and was being protected. No interview is possible now, of course, as the committee is officially out of business.

According to Dennis McDonald, Fratianno's current attorney, his client might talk to some future investigation, but only in public and on his terms. He won't talk to investigators in private about what he knows. "I know Mr. Fratianno's view of the deaths of the previous witnesses in the matter," says McDonald, "and he's quite concerned about meeting with people and divulging the information which he has. His feelings are that following the procedure that the House committee was requesting (closeddoor secret meetings) there were two deaths [Rosselli and Giancaral. And he doesn't want to be a third.

McDonald believes his client has "important" information which he hasn't yet revealed. Does he think Fratianno knows about the Rosselli and Giancana deaths? He covly answers. 'Yes, I think he has information," What about Hoffe? "Again, he has information which should be considered. For example, my understanding of some of the events surrounding the alleged plot against Fidel Castro would lead me to believe that Mr. Fratianno has information that would be important."

If Fratianno does have important information, it won't be easy to come by. Some observers are sure he will use it to the maximum to negotiate the best deal possible with the Justice Department. In other words, he will bargain for more favors after his prison term, such as a house, a car, etc. to go along with his new identity and protection. Others think it may be just hype that Fratianno is using to promote a book about himself that he wants to cash in on.

The key to the government's working intelligence on organized crime is Mob informers. Reportedly, the FBI has 2,000 organized crime informers. Most of these are periferal associates of mobsters-businessmen, union officials, relatives, etc. Only a very small number (15 to 20) are the extremely difficult to turn actual members of Mafia families-such as Jimmy Fratianno.

From June, 1975 to February, 1977 a major law enforcement problem developed as 23 key informers across the country were murdered in what was termed "the 27 caliber assassinations." The name was given because in most of these killings a .22 caliber pistol was used as the murder weapon. Because the .22 is a strange and seldom-used weapon for Mob hit-men, experts believe it was employed as a deliberate signal from the Mobwe're killing your informers.

How did the Mob know who to bump off? The deaths appear to have been the result of blown covers created by lax security

of FBI data, and the leaking of top-secret informers' names through bribes to FBI personnel. However, the killings continued even after FBI security was reanalyzed and tightened Thus, recent articles have charged that the Mob has penetrated

The first victim to be killed by a .22 was former Chicago Mob-boss Sam Giancena. He was murdered just before he was to testify before the Senate Intelligence Committee about the CIA-Mefia plots.

Frank Bompensiero ("El Bompo"), the one-time boss of the Southern California Mob family, became a .22 caliber victim in 1977. In 1986, against the threat of a prison sentence. he was turned by the FBI into an informer, and for the next 11 years he was considered the most important Mob informer the Bureau had. Jimmy Fratianno was Bompenseiro's behind-the-scenes West Coast partner, "They were very close, extremely close,"

says one knowledgeable expert. The story of Fratisnno's turning began in Cleveland, A top Cleveland Mob leader bought top-secret information from an FBI clark in the Cleveland office. The leaked data exposed key Mob Informers, including Daniel Greene and Frank Bompensiero. Danny Greene, an Ohio gambling and loanshark racketeer who had been a three-year F8I informant, was soon after blown apart by a bomb. (Bompensiaro had been assassinated in San Diego eight months earlier.) A professional hit-man was arrested and confessed to the Greene murder. He then fingered Fratianno as one of the men who had hired him. Fratianno was arrested in December, 1977, for Greene's murder. He began to talk to the FBI because they convinced him that the Mob had issued a contract on him for his failure to detect Bompensiero, his West Coast partner, as a longtime informer.

Once Fratianno started opening up, he revealed everyone in valved in the Greene murder. He also confessed to ordering the murder of Bompensiero and named those who carried out his execution orders. Fratianno has already served over a year of his shortened sentence and will be eligible for parole in about five months. (He has served over 18 years in prison in the post.)

His next court appearance is scheduled in a Los Angeles pornography trial which is an autgrowth of the Bompensiero murder. (The government has no jurisdiction in murder cases, so they have gone after those involved by pursuing the porno graphy indictments.) According to Ralph Salerno, former NYPD organized crime investigator and expert consultant to the HSCA. Fratianno was one of those indicted for conspiracy to take control of the pornography industry. But the underlying, big crime is the death of Frank Bompensiero." The trial could settle, according to Salerno, "whether Bompensiero was killed because they found out he was an informant or because he was double-dealing somebody in the pornography takeover. I think it could be either

Fratianno is to be the government's key witness, but presently the trial date is in limbo, and Salarno, for one, says, "I wouldn't be surprised if it never goes to trial, because I don't think they've got that much of a case.

Salerno was also asked if he knew who put the contract out on Fratianno. "Anthony Spisotro," he replied, "was the fellow who was supposed to do it or have it done. He's originally from Chicago, but he spent the last decade or so in Las Vegas. He seems to have taken over the function of Rosselli--Chicago's man out West." Do they still went Fratianno dead? "Yeah," says Salerno matter-of-factly, "if they can do it without a great deal of trouble.

#### KANTOR ON RUBY

Seth Kantor's Who Was Jack Ruby? (Everest House, 1978) provides an excellent summary of Ruby's neferious associations (with the Dallas police, the FBI, and known mobsters), a service able psychological profile of Oswald's slayer, and the fulless account yet of Kantor's own Kafksesque experience as a witness to Ruby's activities on November 22. (Kantor claimed to have seen and talked to Ruby at Parkland Hospital Immediately after the assassination. The Warren Commission said Kantor was wrong The Stokes Committe will say he was right.)

The book is boldest in its attempt to answer those greatest of enigmas: how did Ruby enter the OPD basement on November 24 and was he tipped as to the time of Oswald's transfer? While failing to build an airtight case. Kantor does conclude that Ruby probably did not enter by the Main Street ramp, past the diverted Office Roy Vaughn (as the Warren Commission claimeds, and that there are strong suggestions that Ruby was tipped by a phone call, possibly from Officer Blackie Harrison. Harrison had known Ruby for twelve years and to students of

the photographic record of Oswald's assissination he is femiliar as the man from behind whom Ruby emerges as he charges Oswald.

According to Kantor, "He [Harrison] was one of two officers singled out by the police department to take a lie-detector test concerning his movements as they could have involved Ruby that morning. The day of the lie-detector test. December 13, 1963. word spread through the department that Harrison had taken strong tranquilizers to muffle his reaction to all questions. The Secret Service then informed the Warren Commission of what the police were saying Herrison had done, but the Commission failed to look into the tip and didn't check out any of Harrison's personal contacts with Buby over the years."

On the morning of November 24, Harrison and Detective L.D. Miller were at the Delux Dinor, down the block from DPD headguarters. Harrison received a telephone call there from an unknown person. Both policemen were reluctant to talk about the call in their interview with Commission Counsel Bert Griffin (who with Lean Hubert was in charge of the Ruby investigation), Miller even refused initially to be sworn in.

Was Harrison receiving the last minute details on Oswald's transfer? Did he then pass this information on to Ruby, who received several phone calls at his spartment that morning Kantor raises these crucial questions but is unable to push them

At the time Ruby received the fast phone call it was already general police knowledge that Oswald would be taken through the basement to an armored car. Due to the planned security after he was in the ven, Kantor concludes that conspirators would have decided. "Oswald would have to be hit before getting

According to no-conspiracy defenders, such as Commission lawyer David Belin, the preciseness with which Ruby, then Oswald, arrived into the basement was just a coincidence. Ruby sent a Western Union money order at 11:17 that morning and reached the police station within a minute and a half. Oswald was shot at 11:21. Belin argues that Ruby could have been delayed a few minutes as the Western Union office and would have thus missed Oswald's transfer entirely. Therefore, Belin concludes, "circumstances of this nature are strong proof of the fact that there was no conspiracy [to kill Oswald]

As Kantor logically points out, it is another classic example of looking at the JFK case through "lone assassin" glasses. Kantor hints that DPD conspirators who might have been in cahouts with Ruby, told Ruby to be in place by a certain time and then only when he was there, behind Officer Harrison, did they signal upstairs to bring down the prisoner. Supporting this hypothesis. Kentor details the terrible disarray of the basement security preparations at the moment of the signal. When the ready signal was relayed to Captain Fritz nothing was set downstairs. The transfer car wasn't in position and was blocked in by people and other vehicles, and detectives hadn't roped off reporters and camera craws to where they should have been. Why would Dawald have been brought down into such a security

Bert Griffin now admits to Kantor that the Commission didn't explore these questions properly. "We might not have grasped the connection as we should have ... [We] never carried on an inquiry into the whole system for protecting Oswald."

- 22.4

#### **BRONSON FILM UPDATE**

"The Department of Justice should contract for the examination of a film taken by Charles L. Bronson to determine its significance, if any, to the assassination of President Kennedy. This was the number one "recommendation for further investigation" that the HSCA made on December 31, 1978 (See C4. Nov.-December, 1978 for a detailed background report on the

As we go to press the AlB has obtained the "draft" language of the Bronson recommendation which will be in the final report In addition to the above recommendation the draft copy of the report continues:

The panel [HSCA photo experts] was unable to discern any figure and it was unable to say conclusively, based on the study it did, whether apparent motion behind the windows on the fifth and such floor windows was due to film artifacts or real motion. Nevertheless, because the Bronson film was of a superior quality to the Hughes film that the panel had subjected to computer processing, the panel recommended that similar additional work be done on the Bronson film." The Committee also asks the Justice Department "to contract for the appropri ate research to be done to determine what, if any, significance the Brooson film may have to the assassination of the President (This is apparently a recommendation for a further search for corroborative evidence, i.e., eyewitness testimony, fingerprints, etc., of more than one person in the sixth floor sniper's pest I.

Clearly, the question of what the Bronson files does show for a fact is at this moment still open. Last November when the question suddenly arose, the Committee had time and money left to enhance only one of the 92 frames. The six members of the HSCA's expert photo panel who were hurriedly assembled at the facilities of the Asrospace Corporation in California to view the computerized, multicolored, walf-sized video display saw enough to vote 5 to 1 in favor of enhancing all 92 frames by the same method. Only in this way, they said, could they determine whether or not the images in the windows revealed one, two, or three human figures. It is this 5 to 1 finding on which the Committee based its recommendation (above) to the Justice

One expert who viewed the film at Aerospace was Robert Seltzer, of the Jet Propulsion Laboratory of Pasedena, Seltzer thinks the Bronson film may indicate as many as three figures in the sniper's nest. This view supports an earlier contention by HSCA photo consultant Robert Groden

In a letter to the Committee's staff, Seitzer wrote. "To my knowledge, this is the only possible evidence of movement behind the two closed windows adjacent to the half-open

Seitzer said. "Every other photo or movie frame that I can remember shows these windows completely opaque, possibly due to a combination of dirt and sun glars. It is possible that

slight windowpane movement could create the appearance of rapidly moving objects. If so, the speed of shadow change, if clarified, could easily be distinguished from human movement."

[Setter noted that the Bronson film was superior in quality to the Robert Hughes film. The Hughes film in were taken accordance for the shouring and had been previously examined by the MSCA panel. But hey were unable to determine the origin of the movement it shows—concluding it was caused by photographic "artifasts."]

Seltzer's letter continues, "Such clarification could also indicate compatibility with human movement, but in either case, the movement should be analyzed."

The AIB has also learned from Bronson's Dallas attorneysjohn Sigliots, that additional enhancement of the film, independent of the HSCA and the Justice Department, will be performed very soon at a New England university. The photo work will be funded by a private concern which Siguica would not reveal (not the Dallas Mooring Mexx. which first ran the story).

Sigalos is indeed very secretive about the pending study, giving few details of the who, what, where, and when. The AIB did learn that the Itek Corporation, which had analyzed the Zapruder and Hughes films for CBS in 1975, had offered to do the work for free. They were turned down by the HSCA and Bronson's attorney, Sigalos did say, "The film will be studied properly, don't worry about that. It will be done in stages. The first stage will be to look to see if it's human movement. They simply look at it very carefully and put it through the roputers and look at the movements. They know the speed of the camers. They time the movements. In other words, if it's completely jarky kinds of movement it could be just a dirty windowpane flexing in and out. Once you establish that it's human, then you can go in and refine the algorithm on the computer, and say, 'OK, what is the skin tone here if we can tell it, or what is the shirt color, or is there a shirt?" That's when you start to try and pick up more information from it. But the thing to do first is to decide whether or not there is human movement.

Although the Brosson film is the best quality evidence yet examined of the sinjer's cest. Chief Counsel Blakey apparently isn't optimistic that it will show anything, and has reportedly said he does not "expect anything will come of it." He told Earl Golic of the Dallas Morrainy flews that the Justice Department recommendation was made "so people won't be concorned."

Of course. If the indication of more than one person in the Warren Commission /HSCA. Tone gumman's" window is borne out, the obvious implication is that Oswald was either not alone or, as many critics have all along suspected, he was framed.

THE DANIEL FILM

Another 8 mm. color film of Dasley Plaza at the time of the assessivation has recently surfaced. Taken from a previously unseen angle. It provides significant evidence bearing on the presidential motionated land the position of Officer H. B. McLaini, as it speed off following the shooting. The copyrights of G-econd, as it speed off following the shooting. The copyrights of G-econd, Dallas, clearly shows that only one motorcyte policiarism excerted the motorcade as it emerged from the triple underspeed to go up on the Stemmons Ference. This lone policiarism is not Officer McLain, who has said that immediately after the shoot he turned on his arisen and followed the immodate to the hexplast. The Daniel slim therefore supported micropromise is the continuous of the continuous continuous of the continuous c

quarters dictabelt

Roger Gwinn, an aide to Rep. Richardson Preyer (D-NC), commented. The film tends to support the acoustic evidence—that there was a fourth shot by a second gunman, and contradicts McClain's statements that he sped out of the plaza.

John Sigalos, a Dallas attorney, is representing Daniel. Sigalios is also Intellign Charles Bromous's recently discovered film.] He enheed Givinn's comments: "The Daniel film doesn't share too much about the assessination isself offers than what transpired shartly thereafter—the indenceded coming duct film doesn't transpired shartly thereafter—the indenceded coming duct film of the share that the share that

were clearly on Stemmons, well on their vary to the hospital."
Specifically, how long after the head shot is it before McLain leaves the plaza? Bob Groden, MSCA photo consultant, who has examined the original film closely, says. "The avidence seems to show, tabley several other films into consideration in addition to the Daniel film, at least 28 to 30 seconds," before McLain takes

Denie was standing with his trives sons (two of whomeare seen in the foreground of the film) should 200 leet west of the underpase on the north side of Elm Street. The film sequence begins as the precident's limbouries emerges from the nilfored underpase on soute to the Stemmons Freeway and Britishand Hospital. To the left and behind Kannedy are is the care of Bolloo Chief Jesse Curry (the motorcade's lead earl, Directify behind Street, are a Seeter Service care, followed by ILS) are and the Seeter at a Seeter Service care, followed by ILS) are and the Seeter Service and Seeter Seeter of the Seeter Seete

A small side mystery emerges from the order of the carkaccording to the tim. Secret Service Agent Will Green, the
driver of the president's limituation, told the Warrino Commission
tal, Green testified that he didn't know the way. As the Deposition
tal, Green testified that he didn't know the way. As the Deposition
tal, Green testified that he didn't know the way. As the Deposition
tal, Green testified that he didn't know the way. As the Deposition
tal, Green testified that he didn't know the way. As the Deposition
tal, Green testified that he didn't know the very as the Deposition
tal, Green testified that he didn't know the testified that the didn't be deposited to the testified that the didn't be deposited to the didn't be deposited to

New York crisic David Lifton has pointed out this discrepancy.

The popular conception has always been that Chief Curry led the president's cur to the hospital, "ask of fine." This conception is proved wrong, at least at the point of the Stemmons ramp by the Daniel film."

Lifton points out that Curry's testimony on this matter is vegue and that he only asys the motorcade went to the hospital under "birton excort." "He doesn't say whether he led them or saled them," asys Litton. "But three Secret Service Officials (Dever, Forrest Sorrels, and Wington, Lawson) all give testimony that is specific and completely contradicted by the Daniel Intim." (Screek, Secret Service Chief of Dallas, and Lawson, the devance agent from Washington, were both riding in Chief Curry's car.)

Ulton points out, for example, that Green tool the commission was passed it (Curry's car). I was led to the hospital by the police car who was preceding rise. Lawson was asked by the commission if Green actually passed Curry's car at any time. Lawson replied. No air, they priver did. We sarped shead of

The explanation to this is either that those highly-trained agents penicked in this emergency and lotally forgot what did happen or that somebody is lying. What could the reasons be? Another mattery.

Daniel originally offered his film to the Deltas sheriff's control of the season of the DPD decided it wasn't significant evidence and returned it to him. In late 1978, one of his sons encouraged him to contact the FBL which he did. PBL agents received the film and sont it to Wash-

ington. On December 28 the HSCA requested a copy.

One general misconception has developed beout the film due to an inaccurate report in the Denser Post (278/79), which first broke the story. The Post reported that the film clearly showed the grassy knot and might revised a port of anoka coming from there. Both of these facts left the arrowous impression in the minds of many readers that the Deniel film might be principle.

evidence of a second gumman on the knoll.

Looking through the underpose turned. Dariel's cemens could
see some of the plaze on the other side. However, more of the
grassy hord is vasible. The Peter Spot mode the side of t

Groden thinks: 'It is just an illusion. One of Daniel's boys was voiving his hand vary, very regardly fat JR's. Illnousing and an hand become better the property of the season of the hand become better the season of the season of the illnown better the best property of property of season of the season of the season of purity of smoke from a gun more than me, but most likely it's not. I think it's just a waving hand.

Signios adds. "It il be studied more to be sure what it is. But you can't see the grassy knoll, and it would have to be a cannon going off to see smoke drifting over that far from the knoll."

—J.G

#### HSCA HEARINGS Schedule and Witnesses Called

(Below is the complete witness and subject schedule for the December HSCA hearings. Each day's subject heading [italicized and in guotes] was assigned by the HSCA.)

December Hearings-

13th-- ("Prevention of Assassinations and Legislative Recommendations"). Winesses, and Exhibits (henceforth, "W&E"). Overeit, Statement, Chairman Stokes, William Webster, FBI Orector, Frank Carlucci, Deputy Director of CIA.

12th—("Prevention of Assessmation and Legislative Recommendations") W&E H.S. Knight, Director of the Secret Service, Benjamin. R. Civiletti, Deputy Attorney General, Chairman Stokes, closing remarks.

20 th - Tribounties Revinited\*, Will Chairman Stokes, copining asseminer, Narration, "Accountse Evidence Refined", Professors Mark Weiss and Ernest Aschhensey, HSCA accounts Dr. Jannes A. Burger Stokes, Carlotte HB. McLini, Dallas Poles Operationer, Dr. Jannes A. Burger Stokes, MA. Narration, "Medical and Teachers of the Company of th

#### RECOMMENDED READING

- The Search for the Manchurian Candidate by John Marks, New York Times Books, 1979.
- New York Times Books, 1979.

  "The Assessmation Tangle" by Tracy Kidder, Atlantic Monthly, March, 1972.
- "Press Contortions: Still Denying A JFK Conspiracy," editorial in Inquiry, 3/5/79.
- "The Missing CIA Man" by Ted Szulc, New York Times Magazine, 1/7/79; the facts on the mysterious death of John
- "The Spy Who Never Was" by Joe Trento, Penthouse, March 1979; a good compenion piece to the Szulc article (above).

#### **HSCA Chief Counsel on JFK**

SPEECH BY G. ROBERT BLAKEY

(January 25, 1979; Plaza Hotel, New York City; To the Cornell University Law School Alumni Meeting)

Mr. Justice Holmas cone observed that the first requirement of a theory is that it fit the facts. He didn't add it, but I suppose he would not object if I said what he really meant was, the first requirement of a good theory was that it fit all the facts, and not just some of the facts. One of the great problems with the Kennedy case is that people have taken some of the facts and fit them to a particular theory and suggested that I was the trush.

What really happened in Dealey Plaza on November 22, 1983, is a very trooblesome question, because what happened there not only happened in Deales, it happened in Washington i date asy that there are very few of you who could not tell me it asked you where you were that day. Some of you that are a futtle object could probably tell me where you were December 7, too, Those how days we remember.

My problem when I got down to the committee some 18 months ago was how to figure out what, if anything, a congressional committee, not a grand jury, not an executive police agency, could add to the tragedy, except complicate it. I recognize, as I'm sure many if not most of you do, that fact-finding 15 years after an event is difficult if not impossible. As I am sure you would remember or at least think you remember when you tell me where you were on November 22, ask yourself honestly are you telling me where you were or are you now telling me the story that you tell about where you were? Now that story is not false. It normally has a meaning to it and that simple meaning is true, but over time the details change. So one of the first things that we faced in an effort to try to find out what happened in Dealey Plaza is that the witnesses' testimony was no longer valid. Frankly, it offered little hope of settling very difficult questions. Consequently, we hit on a strategy of looking not to people but to

Let me speak for a moment about files first. There is a myst, it suppose causing promotigated by the investigation agencies, that they know everything, it's widely believed that the truth of a more particularly the CLAs files. One of the first things we found, my friends at the CLA will forgive me if I say it publicly, is that the reason they classify information is not to high things from you, but or short to high show limit of the properties of the properties of the control of th



materials and to their people. We had a similar access with the Federal Bureau of Investigation and a number of other agencies.

Let me talk to you a little bit about the science and what is involved. The official explanation for Dealey Plaza was that the president was shot at, perhaps 3 times, certainly 2 times in a space of 7.9 seconds. All of the shots were fired by a man named Lee Harvey Oswald. Two of the shots hit President Kennedy; one shot actually hit both President Kennedy and Governor Connaity. There was no evidence of a conspiracy. Now the phrase "no evidence of a conspiracy," was obviously written by a Philadelphia lawyer, because the phrase before "no evidence" was "no credible evidence," which would clue most of you in to the fact that there was some evidence, which the commission for one reason or another rejected.

What did we find? We found that there were four, not three shots fired. That the first shot was fired from the Depository and that it missed. The evidence for that, and I will speak today primarily, if not exclusively, in terms of scientific evidence, is a film made by a man named Abraham Zapruder who ironically actually filmed the assassination as it occurred. In Zapruder's film you can see John Connally sitting in the car and he turns alightly to his right and then he turned very quickly, again. Connally's testimony to the Warren Commission and to the Select Committee on Assassinations was that he heard the first shot. That testimony, that oral testimony, was rejected by the Warren Commission. It had been accepted by the Select Committee on Assassinations, in part because the film sees John Connally turning, but more significantly, as I am sure many of you know, the Select Committee on Assassinations subjected a tape made by the Dallas Police Department, inadvertently, of the sounds of the assassination to some sophisticated acoustics analysis, and we can tell you that there were 7.9 seconds from the first to the fourth shot and you can count back in the film the correct number of frames and indeed see the shot go off in the sense that you can see on the film reactions to the first shor.

The second shot did, as the Warren Commission suggested, hit the president in the back of the neck, exit his throat, go into John Connally's back, exit his chest, hit his wrist and then hit his thigh. The same bullet inflicted both wounds. This is the so-called 'single bullet" theory. The Warren Commission suggested this It has and had been widely objected to by the critics. If there is anothing that flows from the Select Committee's work it is that the reality of the "single bullet" theory has been established beyond all reasonable doubt on the following grounds:

You can align Governor Connelly and the president up using sophisticated techniques of interpreting the film. We located exactly where they were, I mean literally to the centimeter in Dealey Plaza. We located the two bodies. Using the forensic sthologists, we located where on the bodies the wounds were We then had a NASA engineer trace out from Governor Connally's back through the president's neck and out the back of his neck, aligned based on the probable trajectory of the bullet and it intersects ... in a circle about like this ... on the sixth floor pository window. The plus or minus of the trajectory is about 14 feet. Nevertheless, it establishes the reality of the possibility of the single bullet having come from the Depository

In addition, hallistics tests show that the hullet found on the stretcher, probably Governor Connally's stretcher in Parkland Hospital, came from Oswald's rifle. Neutron activation analysis establishes that that bullet, in fact, hit Governor Connally's wrist. The bullet that hit Governor Connally's wrist was tumbling when it went through Governor Connally. You can tell that from the nature of the wound on the back of him. The only thing between President Kennedy and Governor Connally and the window from which the bullet was fired, was the president. The "single bullet" theory is correct.

The third bullet-and this is the area of some controversywas not fired from the Depository, as the Warren Commission created by the direct line to the building and then the direct line

Committee on Assassinations unprecedented access to their thought; it was fired from the so-called grassy knoll, an area off to the right of the president as he drove down Elm Street. This was a somewhat surprising finding by the committee—surprising I suspect, to the public who only became aware of it in December when it was announced. It is one of those things that, I suppose, will become a myth that the committee did this at the last moment. In point of fact, the committee had been wrestling with the implications of the acoustic study since sometime in July and August when we began to perceive that a careful study of the tape that we found would indicate that there were more than the required three shots, required in the sense of sustaining the Warren Commission's analysis.

Let me talk to you a little bit about the tape because it is an essential part of the analysis.

A policeman by the name of H.B. McLain-unknown to H.B. McLain-was traveling about 120 feet behind the presidential limousine on the left. The Harley-Davidson motorcycle that he had had a habit of having its microphone stuck. Indeed, it was stuck that day. He was also on the wrong channel, unknown to him. He was on Channel 1 when he should have been on Channel 2. And the microphone was stuck, as history would have it. during the period of the assassination. And consequently his microphone picked up, not only the sound of his motorcycle but the sounds of the bullets being fired in Dealey Plaza.

For a long time the fact of that tape was known, and it was suggested by critics that someone in the Dallas Police Department was involved somehow, in someway, with the assessination. An effort had been made to block the communication's channel by depressing the microphone button. This allegation led us to find the tape we did. It was in the possession of a former Assistant Chief in Dallas. We sant it to a firm in Massachusetts, named Bolt, Bersnek, & Newman, which counts among its endeavors working with sonar. They are able under water to locate and distinguish whales and submarines halfway across

In addition, Dr. Barger says I shouldn't talk about this too much, but since it's not classified, as far as I am concerned I'll share it with you. They apparently make a little black box that you put on a howitzer on a bettle field, and when the other side shoots t you the little black box tails you where the other howitzer is. So you shoot back exactly where they are. One of the things that led us to go to Dr. Barger's firm was the assumption that if he could find a howitzer on a bettle field, he ought to be able to find a riffe in Dealey Plaza

in any event. Dr. Barger subjected the taps to very sophisticated analysis eliminating background noise through the whole tape, Ironically, however, the crucial seconds were sufficiently clear that the filter process turned out to be not necessary. although we spent about \$50,000 on the filtwring process. Incidently, he told us it was not necessary after we spent it and not

When Dr. Berger appeared before the committee on September 11th, his analysis of the product of a reconstruction of the shooting in Dealey Plaza that he had conducted in August had only been finished for approximately six to seven days. Consequently, at that time, he was only willing to estimate a probabil-

ty about being mistaken on that third shot at 50-50. Following his appearance in September, we had some separate consultants take a lock at the basic data and do a mathematical extension of it. That mathematical extension can be fairly simply explained. Dealey Plaza is an urban environment, composed of large structures. If a sound is made by a rifle and there is a microphone in that environment, the first sound which comes from the rifle will reach the microphone directly, indirect sound, or echos, will bounce off all of the major structures in that environment and bounce back to the microphone. If you can sualize in your minds for a moment the first sound going to the rifle as one line of a triangle and the other two sides being

back to the microphone you have a triangle. Imagine if you will the sound that occurs in Dealey Plaza. It does not sound like a beng. It sounds like bang, bang, bang, bang bang [i.e., dying away), until all of the echos have hit off the buildings. And we have constructed a number of triangles in Dealey Plaza. Each triangle is unique as to the distance between the rifle, the building, and the microphone as a function of the temperature of the air. It is possible to plot each of those triangles, if you can imagine in your mind for a moment a very complicated deodle. that doodle, composed of one superimposed triangle after another, actually amounts to a fingerprint of the sound in that urban environment, unique to that urban environment. What Professors Weiss and Aschkenssy were able to do for us in the period after September was to perfect that fingerprint of sound that was on the tape taken in 1963 by the Dallas PD Inadvertently and match it to the fingerprint of the sound that we had reconstructed in Dealey Plaza in August of 1978. And when that

match occurred, it occurred to a degree of certainty of 95% plus. We asked them, obviously somewhat in dishelief or at least incredulously. "How could this have been done, or could we have been mistaken here between what you say is a rifle shot and a backfire?" And their answer is, "Yes, but the motorcycle would have to have been up on the grassy knoll behind the wooden fence to the left." We asked them, "Could this sound have come from another place?" There is other sound on this tape, for example, the sound of a carillon bell. And there is no bell in Dealey Plaza. "Could this have come from another source?" And the answer is ves. And Professor Aschkenesy put it very well, he said, "But tell me where it come from, and I will go there and I will find someplace else that looks precisely like Dealey Plaza."

What they told us in effect was that the construction of triangles that they found on the tape in 1963 is identical, 95% plus, to the construction of sound on the 1978 tape, in addition. there is more than what could be a loud noise. There is preceding the loud noise what is called an N-wave. When a supersonic rifle or pistol is fired, the first sound is that of the muzzle blast that you can observe, preceding that muzzle blast is the supersonic missile. Much like an airplane flying at the speed of sound has a sonic boom with it, there is an audible sonic boom. So actually a rifle goes ... (snap, snap) ... and then it hits. You can see that initial snap on this tape. So whoever fired at the president from the grassy knoll fired a supersonic gun. I don't say rifle or pistol, because in fact any number of pistols available to the general public in 1963 could have been used. Clint Eastwood shoots a 44 Magnum, I don't suggest that he shot at the president, never theiess, had he fired a .44 Magnum at the president it would have made the same sort of trail. Once we learned that it could have been a pistol and not a rifle, we quickly asked is it possible that a policemen in that area could have accidentally discharged his pistol. And the answer is that the nature of the N-wave and the muzzle blast that follows behind it permits you to determine the general direction of the shot. We know, for example, that it was not fired away from the grassy knoll back towards the railroad. We know that it was not fired directly up in the air, it was indeed fired at the general area of the presidential limousine. So that if the policeman fired this shot accidently, he would have to have held his pistol over the top of the fence and fired at the presidential limousine. And that would lead one to suppose that this was not fired accidently and the fact that he would have been a policeman would have been irrelevant to determining a number of things.

There is ironically a photograph taken by a woman standing across the street at the moment, within a second, of when the shot was fired. And it includes the presidential car, President Kennedy is leaning forward, and it includes the relevant area of the fence where the second assassin had to have been standing We knew this. We looked very carefully at that film, and I have to report to you unfortunately that film was taken with a Poleroid camera, and in the 15 years following the assessination the film has deteriorated to the point now where some of the kinds of

sophisticated computer enhancement that we were able to do with the other films, is, our experts tell us, not a profitable venture, and we did not make it. Nevertheless, ironically, at the very point on the film of the fence, where our acoustics people tell us the assessin had to be standing, there is an irregularity, which if you take a conspiretorial florschach test you will identify as an assassin. If you don't take that test that way you will say it's an irregularity in the film. The committee made no judoment on what it was. In fact I think it feels its presence is more significant in the sense in which it is not absent. If that fence had looked awfully regular at that point, and had not had an irregularity there, either related to the fence or the film, it would have been one little piece of evidence that would have perhaps been inconsistent with the acoustics.

When the acoustics came in we also asked ourselves, "wait a minute, you've got a gunman firing from the grassy knoll? There were hundreds of people in that plaze that day. Who among them heard it? Who among them saw it? What evidence beyond science gives it support?" Most of us were skeptical lawyers and not trained scientists, therefore we don't believe scientists much more easily than others.

There were 121 people interviewed out of the people in Deuley Plaza, that testified either to the FBI or to the Warren Commission that there were from two to four shots fired. Of that 171 that said that there were two to four shots fired. 46 people said they were fired from the Depository. Twenty people said they were fired from the grassy knoll. The rest said either that they didn't know or that they were fired from someolece else. You can see what you have here. The Warren Commission, faced with that kind of testimony, decided, I think, in the absence of scientific collaboration for the oral testimony of shots coming from two different directions, that they would believe only the shots fired

Among the people who heard shots fired from the front as well as from the back, include a policeman riding to the left of Mrs. Kennedy. His testimony is unequivoce). "I heard a shot come over my shoulder. I heard a shot from up front and to the right of me." Another witness was a Secret Service agent riding on the car

immediately behind the president On the grassy area, from which the grassy knoll name is taken, there were two people. Abraham Zapruder, you will recall that I mentioned that he took the film. His testimony is very difficult to read or to understand, partly because of the obvious emotion that he expressed during his deposition. Nevertheless from his testimony you can determine that he differentiated shots based on sound. One shot was not so loud, another "reverberated all around me." As indeed it would have if it had come over his

A man named Newman, with his family, was literally standing on the grassy knoll between where the president was and where the other gunman shot. He dropped his family to the ground-and there is photographic evidence to corroborate this. And he said very clearly, "I knew that I was in the line of fire. It came from the garden area directly behind me."

Another man, named Holland, standing on the railroad pass under which the president was shortly to drive, said he heard four shots. Two from up the street, two from down the streetby down the street he mount the grassy knoll-and he also said that he saw a puff of smoke coming from the grassy knoll. I was somewhat skeptical of that testimony the first time tread it, since I thought that they really didn't have smoking guns since they get rid of flintlocks. That tells you how little I know about ammunition. Apparently a rifle made today, if not cleaned properly (which would leave all in the barrel), would indeed produce smoke. And consequently, seeing a puff of smoke over there may be difficult to believe but it's not impossible to believe

The builet that was fired from the grassy knoll did not hit the president. The medical testimony is unequivocal. There is no evidence of any built hitting the president from the front.

### - 16 • Clandestine America -

The fourth shot, fired this time again from the Depository, hit the president in the back of the head and came out the front. And the doctors tell me that the cause of death is two gunshot wounds. And I believe them from a medical point of view, but having seen the films and also having seen the autopsy films, my judgment at the moment is that the third shot fired by Lee Harvey Oswald from the Depository killed the president.

Let me comment to you and with you a little bit about the meaning of all of this. It has been one of the most soul shattering experiences that I've ever had. I was, ironically, with Attorney General Kennedy on November the 22nd, 1963, in an organized crime section meeting. We all went home for lunch. He went with Bob Morgenthau out to Hickory Hill, and the president was killed, and the meeting never got back together again.

In a personal sense that is some of what happened to me, but there ought to be broader things that we can say about what happened in Dallas.

We can't rewrite history. We can't bring John Kennedy back. But I can tell you that not one institution of my society served me well in 1963. And I'll be honest with you, the Select Committee on Assassinations probably ought to underline its report and say. "None were covered with glory, including this Committee." As committees of Congress go, its early history is hardly one to be offered as a model. The FBI did not adequately investigate the case. Not as to who shot the president. The basic shooter investigation is superb. They did not investigate adequately the conspiracy. The CIA, what did they do for us? They did not adequately gather information before the assassination. The information they had after the assassination they did not share with the Warren Commission. The Warren Commission itself represented

in many ways the best of our society. The Chief Justice was its chairman, lawyers who are today in all of the major firms in the United States served on that commission, all of them served ably and well. They studied the case as best they could, arrived at their judgments in good faith, and were fundamentally wrong on the conspiracy question. And they made what in my judgment was a serious mistake, they stated their judgment in such a way as they mistrusted the American people. They should have said, "We've done the best we could, we know who shot the president, we're not sure whether others were involved." And then trusted it to the maturity of the American people to accept it as such. They didn't, and let enter our society a kind of poison that has run through the body politic since. We call it Watergate today-a lack of credibility in governmental institutions. There are a lot of young people who have thought this case through who will never trust the government again and feel that they have been lied to.

If there is any message to take out of this case, it ought to be that. Not a hope that somehow we will be able to identify the other assassin on the grassy knoll. After 15 years that is probably unlikely. That there were two assassins there, I believe it, based on, science, and I think you will too if you see the evidence I saw. And you can see it. It's not something that you have to accept on faith. You can go redo what they did. We'll publish the charts and you can sit down with a hand calculator and refigure it. This is not something that is beyond anyone that has a high school or certainly a freshman college understanding of physics.

But the message we ought to carry away from it can be summed up in two words, "Never again." The next time this happens—and it will happen: one in four of our presidents have been shot at—I hope indeed people will have the courage and integrity to stand up and say, "I will pursue this as far as I can, and if I can't go all the way, because I am human, I will tell people of that." So the lesson I think you should take from it is Santayana's lesson, "Those who will not study the past are doomed to repeat it." I know Shaw comments on that, "That the only thing we learn from history is that we don't learn from history." I have to hope that Shaw is wrong. Thank you.

## DOUBLE—ISSUE

CLANDESTINE AMERICA—Copyright 1979
Al8 Washington Editors—Jeff Goldberg, Carl Oglesby, Al8 Contributing Editors—Bob Katz, Jimic Daman Martin Lee, Dayld Williams, Harvey Yazilian, Al8 Research Associates—Jeff Cohen, Jeff A. Gottlieb, Typesetting/Leyout—Alf For People, Johanna Mogeisang, Al8 Advisory Board—David Dellinger, Alten Ginsberg, Tom Hayden, Murray Kempton, Narman Mailer, Jack Nawfied, Philip Nobile, Marcus Raskin, Peter Dale Scott, Al8 Inc., a non-profit corporation, publishes Clandestine America bi-monthly. Submissions for publication are welcome, but we regret that we are unable to offer compensation; please include a stamped, self-return envel pet. by Ining a traities are a collaborative effort and product of the Al8 editorial staff. Address all editorial/subscription correspondence to 1873, 2015, NW #217 Washington, DC 20036/1202) 857-0017. Subscription rates 55/year, individuals: 89/year, libraries and institution. 55.9-4-4-7, shighty foreign airmail. Single copies and back issues are \$1.50 each, including postage. Reproduction without written permission is forbidden.



### **Assassination Information Bureau**

1322 18th St. NW, Wash., DC 20036 (202) 857-0017

Jim Garrison Tucker, Schonekas & Garrison 710 Carondelet Street New Orleans, IA FIRST CLASS MAIL

